

# SUPPLEMENT

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**OFFICIAL DOCUMENTS**

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# OFFICIAL DOCUMENTS

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## OFFICIAL DOCUMENTS

*Señor Luis M. Drago, Minister of Foreign Relations of the Argentine Republic, to Señor Martín García Mérou, Minister of the Argentine Republic to the United States<sup>1</sup>.*

[TRANSLATION]

### ARGENTINE REPUBLIC

#### MINISTRY OF FOREIGN RELATIONS AND WORSHIP

*Buenos Aires, December 29, 1902.*

MR. MINISTER: I have received your excellency's telegram of the 20th instant concerning the events that have lately taken place between the Government of the Republic of Venezuela and the Governments of Great Britain and Germany. According to your excellency's information the origin of the disagreement is, in part, the damages suffered by subjects of the claimant nations during the revolutions and wars that have recently occurred within the borders of the Republic mentioned, and in part also the fact that certain payments on the external debt of the nation have not been met at the proper time.

Leaving out of consideration the first class of claims the adequate adjustment of which it would be necessary to consult the laws of the several countries, this Government has deemed it expedient to transmit to your excellency some considerations with reference to the forcible collection of the public debt suggested by the events that have taken place.

At the outset it is to be noted in this connection that the capitalist who lends his money to a foreign state always takes into account the resources of the country and the probability, greater or less, that the obligations contracted will be fulfilled without delay.

All governments thus enjoy different credit according to their degree of civilization and culture and their conduct in business transactions; and these conditions are measured and weighed before making any loan, the terms being made more or less onerous in accordance with the precise data concerning them which bankers always have on record.

In the first place the lender knows that he is entering into a contract

<sup>1</sup>United States: Foreign Relations, 1903, p. 1.

with a sovereign entity, and it is an inherent qualification of all sovereignty that no proceedings for the execution of a judgment may be instituted or carried out against it, since this manner of collection would compromise its very existence and cause the independence and freedom of action of the respective government to disappear.

Among the fundamental principles of public international law which humanity has consecrated, one of the most precious is that which decrees that all states, whatever be the force at their disposal, are entities in law, perfectly equal one to another, and mutually entitled by virtue thereof to the same consideration and respect.

The acknowledgment of the debt, the payment of it in its entirety, can and must be made by the nation without diminution of its inherent rights as a sovereign entity, but the summary and immediate collection at a given moment, by means of force, would occasion nothing less than the ruin of the weakest nations, and the absorption of their governments, together with all the functions inherent in them, by the mighty of the earth. The principles proclaimed on this continent of America are otherwise. "Contracts between a nation and private individuals are obligatory according to the conscience of the sovereign, and may not be the object of compelling force," said the illustrious Hamilton. "They confer no right of action contrary to the sovereign will."

The United States has gone very far in this direction. The eleventh amendment to its Constitution provided in effect, with the unanimous assent of the people, that the judicial power of the nation should not be extended to any suit in law or equity prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign state. The Argentine Government has made its Provinces indictable, and has even adopted the principle that the nation itself may be brought to trial before the supreme court on contracts which it enters into with individuals.

What has not been established, what could in no wise be admitted, is that, once the amount for which it may be indebted has been determined by legal judgment, it should be deprived of the right to choose the manner and the time of payment, in which it has as much interest as the creditor himself, or more, since its credit and its national honor are involved therein.

This is in no wise a defense for bad faith, disorder, and deliberate and voluntary insolvency. It is intended merely to preserve the dignity of the public international entity which may not thus be dragged into war with detriment to those high ends which determine the existence and liberty of nations.

The fact that collection can not be accomplished by means of violence does not, on the other hand, render valueless the acknowledgment of the public debt, the definite obligation of paying it.

The state continues to exist in its capacity as such, and sooner or later the gloomy situations are cleared up, resources increase, common aspirations of equity and justice prevail, and the most neglected promises are kept.

The decision, then, which declares the obligation to pay a debt, whether it be given by the tribunals of the country or by those of international arbitration, which manifest the abiding zeal for justice as the basis of the political relations of nations, constitutes an indisputable title which can not be compared to the uncertain right of one whose claims are not recognized and who sees himself driven to appeal to force in order that they may be satisfied.

As these are the sentiments of justice, loyalty, and honor which animate the Argentine people and have always inspired its policy, your excellency will understand that it has felt alarmed at the knowledge that the failure of Venezuela to meet the payments of its public debt is given as one of the determining causes of the capture of its fleet, the bombardment of one of its ports, and the establishment of a rigorous blockade along its shores. If such proceedings were to be definitely adopted they would establish a precedent dangerous to the security and the peace of the nations of this part of America.

The collection of loans by military means implies territorial occupation to make them effective, and territorial occupation signifies the suppression or subordination of the governments of the countries on which it is imposed.

Such a situation seems obviously at variance with the principles many times proclaimed by the nations of America, and particularly with the Monroe doctrine, sustained and defended with so much zeal on all occasions by the United States, a doctrine to which the Argentine Republic has heretofore solemnly adhered.

Among the principles which the memorable message of December 2, 1823, enunciates, there are two great declarations which particularly refer to these republics, viz: "The American continents are henceforth not to be considered as subjects for colorization by any European powers," and " \* \* \* with the governments \* \* \* whose independence we have \* \* \* acknowledged, we could not view any interposition for the purpose of oppressing them or controlling in any other manner their destiny by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States."

The right to forbid new colonial dominions within the limits of this continent has been many times admitted by the public men of England. To her sympathy is due, it may be said, the great success which the Monroe doctrine achieved immediately on its publication. But in very recent times there has been observed a marked tendency among the publicists and in the various expressions of European opinion to call attention to these countries as a suitable field for future territorial expansion. Thinkers of the highest order have pointed out the desirability of turning in this direction the great efforts which the principal powers of Europe have exerted for the conquest of sterile regions with trying climates and in remote regions of the earth. The European writers are already many who point to the territory of South America, with its great riches, its sunny sky, and its climate propitious for all products, as, of necessity, the stage on which the great powers, who have their arms and implements of conquest already prepared, are to struggle for the supremacy in the course of this century.

The human tendency to expansion, thus inflamed by the suggestions of public opinion and the press, may, at any moment, take an aggressive direction, even against the will of the present governing classes. And it will not be denied that the simplest way to the setting aside and easy ejection of the rightful authorities by European governments is just this way of financial interventions—as might be shown by many examples. We in no wise pretend that the South American nations are, from any point of view, exempt from the responsibilities of all sorts which violations of international law impose on civilized peoples. We do not nor can we pretend that these countries occupy an exceptional position in their relations with European powers, which have the indubitable right to protect their subjects as completely as in any other part of the world against the persecutions and injustices of which they may be the victims. The only principle which the Argentine Republic maintains and which it would, with great satisfaction, see adopted, in view of the events in Venezuela, by a nation that enjoys such great authority and prestige as does the United States is the principle, already accepted, that there can be no territorial expansion in America on the part of Europe, nor any oppression of the peoples of this continent, because an unfortunate financial situation may compel some one of them to postpone the fulfillment of its promises. In a word, the principle which she would like to see recognized is: that the public debt can not occasion armed intervention nor even the actual occupation of the territory of American nations by a European power.

The loss of prestige and credit experienced by states which fail to

satisfy the rightful claims of their lawful creditors brings with it difficulties of such magnitude as to render it unnecessary for foreign intervention to aggravate with its oppression the temporary misfortunes of insolvency.

The Argentine Government could cite its own example to demonstrate the needlessness of armed intervention in these cases.

The payment of the English debt of 1824 was spontaneously resumed by her after an interruption of thirty years, occasioned by the anarchy and the disturbances which seriously affected the country during this period, and all the back payments and all the interest payments were scrupulously made without any steps to this end having been taken by the creditors.

Later on a series of financial happenings and reverses completely beyond the control of her authorities compelled her for the moment to suspend the payment of the foreign debt. She had, however, the firm and fixed intention of resuming the payments as soon as circumstances should permit, and she did so actually some time afterwards, at the cost of great sacrifices, but of her own free will and without the interference or the threats of any foreign power. And it has been because of her perfectly scrupulous, regular, and honest proceedings, because of her high sentiment of equity and justice so fully demonstrated, that the difficulties undergone, instead of diminishing, have increased her credit in the markets of Europe. It may be affirmed with entire certainty that so flattering a result would not have been obtained had the creditors deemed it expedient to intervene with violence at the critical financial period, which was thus passed through successfully. We do not nor can we fear that such circumstances will be repeated.

At this time, then, no selfish feeling animates us, nor do we seek our own advantage in manifesting our desire that the public debt of states should not serve as a reason for an armed attack on such states. Quite as little do we harbor any sentiment of hostility with regard to the nations of Europe. On the contrary, we have maintained with all of them since our emancipation the most friendly relations, especially with England, to whom we have recently given the best proof of the confidence which her justice and equanimity inspire in us by intrusting to her decision the most important of our international questions, which she has just decided, fixing our limits with Chile after a controversy of more than seventy years.

We know that where England goes civilization accompanies her, and the benefits of political and civil liberty are extended. Therefore, we esteem her, but this does not mean that we should adhere with equal

sympathy to her policy in the improbable case of her attempting to oppress the nationalities of this continent which are struggling for their own progress, which have already overcome the greatest difficulties and will surely triumph—to the honor of democratic institutions. Long, perhaps, is the road that the South American nations still have to travel. But they have faith enough and energy and worth sufficient to bring them to their final development with mutual support.

And it is because of this sentiment of continental brotherhood and because of the force which is always derived from the moral support of a whole people that I address you, in pursuance of instructions from His Excellency the President of the Republic, that you may communicate to the Government of the United States our point of view regarding the events in the further development of which that Government is to take so important a part, in order that it may have it in mind as the sincere expression of the sentiments of a nation that has faith in its destiny and in that of this whole continent, at whose head march the United States, realizing our ideals and affording us examples.

Please accept, etc.,

Luís M. DRAGO.

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*Declaration between the United Kingdom and France respecting Egypt and Morocco, dated April 8, 1904.<sup>1</sup>*

ARTICLE I. His Britannic Majesty's Government declare that they have no intention of altering the political status of Egypt.

The Government of the French Republic, for their part, declare that they will not obstruct the action of Great Britain in that country by asking that a limit of time be fixed for the British occupation or in any other manner, and that they give their assent to the draft Khedivial Decree annexed to the present Arrangement, containing the guarantees considered necessary for the protection of the interests of the Egyptian bondholders, on the condition that, after its promulgation, it cannot be modified in any way without the consent of the Powers Signatory of the Convention of London of 1885.

It is agreed that the post of Director-General of Antiquities in Egypt shall continue, as in the past, to be entrusted to a French *savant*.

The French schools in Egypt shall continue to enjoy the same liberty as in the past.

ART. II. The Government of the French Republic declare that they have no intention of altering the political status of Morocco.

<sup>1</sup>Great Britain: Parliamentary Papers, Treaty Series, 1905, No. 6.

His Britannic Majesty's Government, for their part, recognize that it appertains to France, more particularly as a Power whose dominions are conterminous for a great distance with those of Morocco, to preserve order in that country, and to provide assistance for the purpose of all administrative, economic, financial, and military reforms which it may require.

They declare that they will not obstruct the action taken by France for this purpose, provided that such action shall leave intact the rights which Great Britain, in virtue of Treaties, Conventions, and usage, enjoys in Morocco, including the right of coasting trade between the ports of Morocco, enjoyed by British vessels since 1901.

ART. III. His Britannic Majesty's Government, for their part, will respect the rights which France, in virtue of Treaties, Conventions, and usage, enjoys in Egypt, including the right of coasting trade between Egyptian ports accorded to French vessels.

ART. IV. The two Governments, being equally attached to the principle of commercial liberty both in Egypt and Morocco, declare that they will not, in those countries, countenance any inequality either in the imposition of customs duties or other taxes, or of railway transport charges.

The trade of both nations with Morocco and with Egypt shall enjoy the same treatment in transit through the French and British possessions in Africa. An Agreement between the two Governments shall settle the conditions of such transit and shall determine the points of entry.

This mutual engagement shall be binding for a period of thirty years. Unless this stipulation is expressly denounced at least one year in advance, the period shall be extended for five years at a time.

Nevertheless, the Government of the French Republic reserve to themselves in Morocco, and His Britannic Majesty's government reserve to themselves in Egypt, the right to see that the concessions for roads, railways, ports, &c., are only granted on such conditions as will maintain intact the authority of the State over these great undertakings of public interest.

ART. V. His Britannic Majesty's Government declare that they will use their influence in order that the French officials now in the Egyptian service may not be placed under conditions less advantageous than those applying to the British officials in the same service.

The Government of the French Republic, for their part, would make no objection to the application of analogous conditions to British officials now in the Moorish service.

ART. VI. In order to insure the free passage of the Suez Canal, His

Britannic Majesty's Government declare that they adhere to the stipulations of the Treaty of the 29th October, 1888, and that they agree to their being put in force. The free passage of the Canal being thus guaranteed, the execution of the last sentence of paragraph 1 as well as of paragraph 2 of Article VIII of that Treaty will remain in abeyance.

ART. VII. In order to secure the free passage of the Straits of Gibraltar, the two Governments agree not to permit the erection of any fortifications or strategic works on that portion of the coast of Morocco comprised between, but not including, Melilla and the heights which command the right bank of the River Sebou.

This condition does not, however, apply to the places at present in the occupation of Spain on the Moorish coast of the Mediterranean.

ART. VIII. The two Governments, inspired by their feeling of sincere friendship for Spain, take into special consideration the interests which that country derives from her geographical position and from her territorial possessions on the Moorish coast of the Mediterranean. In regard to these interests the French Government will come to an understanding with the Spanish Government.

The agreement which may be come to on the subject between France and Spain shall be communicated to His Britannic Majesty's Government.

ART. IX. The two Governments agree to afford to one another their diplomatic support, in order to obtain the execution of the clauses of the present Declaration regarding Egypt and Morocco.

In witness whereof his Excellency the Ambassador of the French Republic at the Court of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty's Principal Secretary of State for Foreign Affairs, duly authorized for that purpose, have signed the present Declaration and have affixed thereto their seals.

Done at London, in duplicate, the 8th day of April, 1904.

[L.S.] LANSDOWNE.  
[L.S.] PAUL CAMBON.

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*Translation of the Declaration Relative to the Adhesion of Spain to the Franco-English Declaration of April 8, 1904, Respecting the Maintenance of the Integrity of Morocco, signed at Paris, October 3, 1904.*

Having reached an accord upon the rights and interests of Spain and France in relation to the Empire of Morocco the two Governments have agreed to establish the same by means of the following declaration:

The Government of His Majesty the King of Spain and the Government of the Republic of France, having agreed to define the extension of their rights and the guarantee of their interests, which result, for Spain, from her possessions on the coasts of Morocco, and for France, from her Algerian possessions, and the Government of His Majesty the King of Spain having, in consequence, given its adhesion to the Franco-English declaration of April 8, 1904, relative to Morocco and Egypt, which has been communicated to it by the Government of the French Republic, declare that they remain firmly attached to the integrity of the Empire of Morocco, under the sovereignty of the Sultan. In consequence thereof, the undersigned, His Excellency the Ambassador Extraordinary and Plenipotentiary of His Majesty the King of Spain accredited to the President of the Republic of France, and His Excellency the Minister of Foreign Affairs, duly authorized for this purpose, have executed the present declaration, to which they have placed their seals.

Done, in duplicate, at Paris, October 3, 1904.

[L.S.] LEÓN F. Y CASTILLO.  
[L.S.] DELCASSÉ.

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*Convention signed at London, April 8, 1904.<sup>1</sup>*

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the President of the French Republic, having resolved to put an end, by a friendly arrangement, to the difficulties which have arisen in Newfoundland, have decided to conclude a convention to that effect, and have named as their respective plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, the Most Honorable Henry Charles Keith Petty-Fitzmaurice, Marquess of Lansdowne, His Majesty's principal secretary of state for foreign affairs; and

The President of the French Republic, His Excellency Monsieur Paul Cambon, ambassador of the French Republic at the court of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India;

Who, after having communicated to each other their full powers, found in good and due form, have agreed as follows, subject to the approval of their respective Parliaments:

<sup>1</sup>United States: Foreign Relations, 1904, 329.

ARTICLE I. France renounces the privileges established to her advantage by Article XIII of the treaty of Utrecht, and confirmed or modified by subsequent provisions.

ART. II. France retains for her citizens, on a footing of equality with British subjects, the right of fishing in the territorial waters on that portion of the coast of Newfoundland comprised between Cape St. John and Cape Ray, passing by the north; this right shall be exercised during the usual fishing season closing for all persons on the 20th October of each year.

The French may therefore fish there for every kind of fish, including bait and also shellfish. They may enter any port or harbor on the said coast and may there obtain supplies or bait and shelter on the same conditions as the inhabitants of Newfoundland, but they will remain subject to the local regulations in force; they may also fish at the mouths of the rivers, but without going beyond a straight line drawn between the two extremities of the banks where the river enters the sea.

They shall not make use of stake nets or fixed engines without permission of the local authorities.

On the above-named portion of the coast, British subjects and French citizens shall be subject alike to the laws and regulations now in force, or which may hereafter be passed for the establishment of a close time in regard to any particular kind of fish, or for the improvement of the fisheries. Notice of any fresh laws or regulations shall be given to the Government of the French Republic three months before they come into operation.

The policing of the fishing on the above-mentioned portion of the coast, and for prevention of illicit liquor traffic and smuggling of spirits, shall form the subject of regulations drawn up in agreement by the two Governments.

ART. III. A pecuniary indemnity shall be awarded by His Britannic Majesty's Government to the French citizens engaged in fishing or the preparation of fish on the "treaty shore," who are obliged either to abandon the establishments they possess there, or to give up their occupation, in consequence of the modification introduced by the present convention into the existing state of affairs.

This indemnity can not be claimed by the parties interested unless they have been engaged in their business prior to the closing of the fishing season of 1903.

Claims for indemnity shall be submitted to an arbitral tribunal, composed of an officer of each nation, and, in the event of disagreement, of an umpire appointed in accordance with the procedure laid down by Article XXXII of The Hague convention. The details regulating the constitution of the tribunal and the conditions of the inquiries to be instituted for

the purpose of substantiating the claims shall form the subject of a special agreement between the two Governments.

ART. IV. His Britannie Majesty's Government, recognizing that, in addition to the indemnity referred to in the preceding article, some territorial compensation is due to France in return for the surrender of her privilege in that part of the island of Newfoundland referred to in Article II, agree with the Government of the French Republic to the provisions embodied in the following articles:

ART. V. The present frontier between Senegambia and the English Colony of the Gambia shall be modified so as to give to France Yarbutenda and the lands and landing places belonging to that locality.

In the event of the river not being open to maritime navigation up to that point, access shall be assured to the French Government at a point lower down on the river Gambia, which shall be recognized by mutual agreement as being accessible to merchant ships engaged in maritime navigation.

The conditions which shall govern transit on the river Gambia and its tributaries, as well as the method of access to the point that may be reserved to France in accordance with the preceding paragraph, shall form the subject of future agreement between the two Governments.

In any case, it is understood that these conditions shall be at least as favorable as those of the system instituted by application of the general act of the African conference of the 26th February, 1885, and of the Anglo-French convention of the 14th June, 1898, to the English portion of the basin of the Niger.

ART. VI. The group known as the Iles de Los, and situated opposite Konakry, is ceded by His Britannic Majesty to France.

ART. VII. Persons born in the territories ceded to France by articles V and VI of the present convention may retain British nationality by means of individual declaration to that effect, to be made before the proper authorities by themselves, or, in the case of children under age, by their parents or guardians.

The period within which the declaration of option referred to in the preceding paragraph must be made, shall be one year, dating from the day on which French authority shall be established over the territory in which the persons in question have been born.

Native laws and customs now existing will, as far as possible, remain undisturbed.

In the Iles de Los, for a period of thirty years from the date of exchange of the ratifications of the present convention, British fishermen shall enjoy the same rights as French fishermen, with regard to anchorage in

all weathers, to taking in provisions and water, to making repairs, to transhipment of goods, to the sale of fish, and to the landing and drying of nets, provided always that they observe the conditions laid down in the French laws and regulations which may be in force there.

ART. VIII. To the east of the Niger the following line shall be substituted for the boundary fixed between the French and British possessions by the convention of the 14th June, 1898, subject to the modifications which may result from the stipulations introduced in the final paragraph of the present article.

Starting from the point on the left bank of the Niger laid down in Article III of the convention of the 14th of June, 1898, that is to say, the median line of the Dallul Mauri, the frontier shall be drawn along this median line until it meets the circumference of a circle drawn from the town of Sokoto as a centre, with a radius of 160,932 mètres (100 miles). Thence it shall follow the northern arc of this circle to a point situated 5 kilomètres south of the point of intersection of the above-mentioned arc of the circle with the route from Dosso to Matankari via Maourédé.

Thence it shall be drawn in a direct line to a point 20 kilomètres north of Konni (Birni-N'Kouni), and then in a direct line to a point 15 kilomètres south of Maradi, and thence shall be continued in a direct line to the point of intersection of the parallel of  $13^{\circ} 20'$  north latitude with a meridian passing 70 miles to the east of the second intersection of the 14th degree of north latitude and the northern arc of the above-mentioned circle.

Thence the frontier shall follow in an easterly direction the parallel of  $13^{\circ} 20'$  north latitude until it strikes the left bank of the river Komadugu Waubé (Komadougou Ouobé), the thalweg of which it will then follow to Lake Chad. But if, before meeting this river the frontier attains a distance of 5 kilomètres from the caravan route from Zinder to Yo, through Sua Kololua (Sua Kololoua) Adeber, and Kabi, the boundary shall then be traced at a distance of 5 kilomètres to the south of this route until it strikes the left bank of the river Komadugu Waubé (Komadougou Ouobé), it being nevertheless understood that, if the boundary thus drawn should happen to pass through a village, this village with its lands shall be assigned to the government to which would fall the larger portion of the village and its lands. The boundary will then, as before, follow the thalweg of the said river to Lake Chad.

Thence it will follow the degree of latitude passing through the thalweg of the mouth of the said river up to its intersection with the meridian running  $35'$  east of the center of the town of Kouka, and will then follow

this meridian southwards until it intersects the southern shore of Lake Chad.

It is agreed, however, that, when the commissioners of the two governments at present engaged in delimiting the line laid down in Article IV of the convention of the 14th of June, 1898, return home and can be consulted, the two governments will be prepared to consider any modifications of the above frontier line which may seem desirable for the purpose of determining the line of demarcation with greater accuracy. In order to avoid the inconvenience to either party which might result from the adoption of a line deviating from recognized and well-established frontiers, it is agreed that in those portions of the projected line where the frontier is not determined by the trade routes, regard shall be had to the present political divisions of the territories so that the tribes belonging to the territories of Tessaoua-Maradi and Zinder shall, as far as possible, be left to France, and those belonging to the territories of the British zone shall, as far as possible, be left to Great Britain.

It is further agreed that on Lake Chad the frontier line shall, if necessary, be modified so as to assure to France a communication through open water at all seasons between her possessions on the northwest and those on the southeast of the lake, and a portion of the surface of the open waters of the lake at least proportionate to that assigned to her by the map forming annex 2 of the convention of the 14th June, 1898.

In that portion of the river Komadugu which is common to both parties the populations on the banks shall have equal rights of fishing.

ART. IX. The present convention shall be ratified, and the ratifications shall be exchanged, at London, within eight months, or earlier if possible.

In witness whereof his excellency the ambassador of the French Republic at the Court of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty's principal secretary of state for foreign affairs, duly authorized for that purpose, have signed the present convention and have affixed thereto their seals.

Done at London, in duplicate, the 8th day of April, 1904.

[L. S.]

LANSDOWNE.

[L. S.]

PAUL CAMBON.

*Agreement between Great Britain and Japan, signed at London,  
January 30, 1902.<sup>1</sup>*

The Governments of Great Britain and Japan, actuated solely by a desire to maintain the *status quo* and general peace in the extreme East, being moreover specially interested in maintaining the independence and territorial integrity of the Empire of China and the Empire of Korea, and in securing equal opportunities in those countries for the commerce and industry of all nations, hereby agree as follows:

ARTICLE I. The high contracting parties having mutually recognized the independence of China and of Korea, declare themselves to be entirely uninfluenced by any aggressive tendencies in either country. Having in view, however, their special interests, of which those of Great Britain relate principally to China, while Japan, in addition to the interests which she possesses in China, is interested in a peculiar degree politically, as well as commercially and industrially, in Korea, the high contracting parties recognize that it will be admissible for either of them to take such measures as may be indispensable in order to safeguard those interests if threatened either by the aggressive action of any other power, or by disturbances arising in China or Korea, and necessitating the intervention of either of the high contracting parties for the protection of the lives and property of its subjects.

ART. II. If either Great Britain or Japan, in the defense of their respective interests as above described, should become involved in war with another power, the other high contracting party will maintain a strict neutrality, and use its efforts to prevent other powers from joining in hostilities against its ally.

ART. III. If in the above event any other power or powers should join in hostilities against that ally, the other high contracting party will come to its assistance and will conduct the war in common, and make peace in mutual agreement with it.

ART. IV. The high contracting parties agree that neither of them will, without consulting the other, enter into separate arrangements with another power to the prejudice of the interests above described.

ART. V. Whenever, in the opinion of either Great Britain or Japan, the above-mentioned interests are in jeopardy, the two Governments will communicate with one another fully and frankly.

ART. VI. The present agreement shall come into effect immediately after the date of its signature, and remain in force for five years from that date.

<sup>1</sup> United States: Foreign Relations, 1902, p. 514.

In case neither of the high contracting parties should have notified twelve months before the expiration of the said five years the intention of terminating it, it shall remain binding until the expiration of one year from the day on which either of the high contracting parties shall have denounced it. But if, when the date fixed for its expiration arrives, either ally is actually engaged in war, the alliance shall, *ipso facto*, continue until peace is concluded.

In faith whereof the undersigned, duly authorized by their respective Governments, have signed this agreement, and have affixed thereto their seals.

Done in duplicate at London the 30th January, 1902.

[L. S.] LANSDOWNE,  
*His Britannic Majesty's Principal Secretary of  
State for Foreign Affairs.*

[L. S.] HAYASHI,  
*Envoy Extraordinary and Minister Plenipotentiary  
of His Majesty the Emperor of Japan at the  
Court of St. James.*

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*Agreement between the United Kingdom and Japan, signed at London,  
August 12, 1905.<sup>1</sup>*

PREAMBLE.

The Governments of Great Britain and Japan, being desirous of replacing the agreement concluded between them on the 30th of January, 1902, by fresh stipulations, have agreed upon the following articles, which have for their object—

- (a) The consolidation and maintenance of the general peace in the regions of eastern Asia and of India.
- (b) The preservation of the common interests of all powers in China, by insuring the independence and integrity of the Chinese Empire and the principle of equal opportunities for the commerce and industry of all nations in China.
- (c) The maintenance of the territorial rights of the high contracting parties in the regions of eastern Asia and of India, and the defense of their special interests in the said regions.

ARTICLE I. It is agreed that whenever in the opinion of either Great Britain or Japan any of the rights and interests referred to in the

<sup>1</sup>United States: Foreign Relations, 1905, p. 488.

preamble of this agreement are in jeopardy, the two governments will communicate with one another fully and frankly and will consider in common the measures which should be taken to safeguard those menaced rights or interests.

ART. II. If by reason of unprovoked attack or aggressive action, wherever arising, on the part of any other power or powers either contracting party should be involved in war in defense of its territorial rights or special interests mentioned in the preamble of this agreement, the other contracting party will at once come to the assistance of its ally and will conduct the war in common and make peace in mutual agreement with it.

ART. III. Japan possessing paramount political, military, and economic interests in Korea, Great Britain recognizes the right of Japan to take such measures of guidance, control, and protection in Korea as she may deem proper and necessary to safeguard and advance those interests, provided always that such measures are not contrary to the principle of equal opportunities for the commerce and industry of all nations.

ART. IV. Great Britain having a special interest in all that concerns the security of the Indian frontier, Japan recognizes her right to take such measures in the proximity of that frontier as she may find necessary for safeguarding her Indian possessions.

ART. V. The high contracting parties agree that neither of them will without consulting the other enter into separate arrangements with another power to the prejudice of the objects described in the preamble of this agreement.

ART. VI. As regards the present war between Japan and Russia, Great Britain will continue to maintain strict neutrality unless some other power or powers should join in hostilities against Japan, in which case Great Britain will come to the assistance of Japan and will conduct the war in common and make peace in mutual agreement with Japan.

ART. VII. The conditions under which armed resistance shall be afforded by either power to the other in the circumstances mentioned in the present agreement, and the means by which such assistance is to be made available, will be arranged by the naval and military authorities of the contracting parties, who will from time to time consult one another fully and freely upon all questions of mutual interest.

ART. VIII. The present agreement shall, subject to the provisions of Article VI, come into effect immediately after the date of its signature and remain in force for ten years from that date.

In case neither of the high contracting parties should have notified twelve months before the expiration of the said ten years the intention of terminating it, it shall remain binding until the expiration of one year from the day on which either of the high contracting parties shall have denounced it. But if when the date fixed for its expiration arrives either ally is actually engaged in war the alliance shall *ipso facto* continue until peace is concluded.

In faith whereof the undersigned, duly authorized by their respective governments, have signed this agreement and have affixed thereto their seals.

Done in duplicate at London, the 12th day of August, 1905.

[L. S.] LANSDOWNE,  
*His Britannic Majesty's Principal Secretary  
of State for Foreign Affairs.*

[L. S.] TADASU HAYASHI,  
*Envoy Extraordinary and Minister Plenipo-  
tentiary of His Majesty the Emperor of  
Japan at the Court of St. James.*

*The Peace of Portsmouth, September 5, 1905.<sup>1</sup>*

His Majesty, the Emperor of all the Russias, on the one hand, and His Majesty, the Emperor of Japan, on the other hand, being animated by the desire to restore the benefits of peace for their countries and their peoples, have decided to conclude a treaty of peace and have appointed for this purpose their plenipotentiaries, to wit:

His Majesty the Emperor of Russia—

His Excellency, Mr. Sergius Witte, his secretary of state and president of the committee of ministers of the Empire of Russia, and

His Excellency, Baron Roman Rosen, master of the Imperial Court of Russia and his ambassador extraordinary and plenipotentiary to the United States of America;

And His Majesty, the Emperor of Japan—

His Excellency, Baron Komura Iutaro, Iusammi, knight of the Imperial Order of the Rising Sun, his minister of foreign affairs, and

His Excellency, Mr. Takahira Kogoro, Iusammi, knight of the Imperial Order of the Sacred Treasure, his envoy extraordinary and minister plenipotentiary to the United States of America;

Who, after having exchanged their full powers, found in good and due form, concluded the following articles:

<sup>1</sup> United States: Foreign Relations, 1905, p. 824.

ARTICLE I. There shall be in the future peace and friendship between Their Majesties the Emperor of all the Russias and the Emperor of Japan, as well as between their respective nations and subjects.

ART. II. The Imperial Government of Russia, recognizing that Japan has predominant political, military, and economic interests in Korea, agrees not to interfere or place obstacles in the way of any measure of direction, protection, and supervision which the Imperial Government of Japan may deem necessary to adopt in Korea.

It is agreed that Russian subjects in Korea shall be treated in exactly the same manner as the citizens of other foreign countries; that is, that they shall be placed on the same footing as the citizens of the most-favored nation.

It is likewise agreed that, in order to avoid any cause of misunderstanding, the two high contracting parties shall refrain from adopting, on the Russo-Korean frontier, any military measures which might menace the security of the Russian or Korean territory.

ART. III. Russia and Japan mutually engage:

1. To completely and simultaneously evacuate Manchuria, with the exception of the territory over which the lease of the peninsula of Liao-tung extends, in accordance with the provisions of additional Article I annexed to this treaty, and

2. To entirely and completely restore to the exclusive administration of China all parts of Manchuria now occupied by Russian and Japanese troops, or which are under their control, with the exception of the above-mentioned territory.

The Imperial Government of Russia declares that it has no territorial advantages or preferential or exclusive concessions in Manchuria of such a nature as to impair the sovereignty of China or which are incompatible with the principle of equal opportunity.

ART. IV. Russia and Japan mutually pledge themselves not to place any obstacle in the way of general measures which apply equally to all nations and which China might adopt for the development of commerce and industry in Manchuria.

ART. V. The Imperial Government of Russia cedes to the Imperial Government of Japan, with the consent of the Government of China, the lease of Port Arthur, of Taliens, and of the adjacent territories and territorial waters, as well as the rights, privileges, and concessions connected with this lease or forming part thereof, and it likewise cedes to the Imperial Government of Japan all the public works and property within the territory over which the above-mentioned lease extends.

The high contracting parties mutually engage to obtain from the Government of China the consent mentioned in the foregoing clause.

The Imperial Government of Japan gives on its part the assurance that the property rights of Russian subjects within the above-mentioned territory shall be absolutely respected.

ART. VI. The Imperial Government of Russia obligates itself to yield to the Imperial Government of Japan, without compensation and with the consent of the Chinese Government, the Chan-chun (Kwan-Chien-Tsi) and Port Arthur Railroad and all its branches, with all the rights, privileges, and property thereunto belonging within this region, as well as all the coal mines in said region belonging to this railroad or being operated for its benefit.

The two high contracting parties mutually pledge themselves to obtain from the Chinese Government the consent mentioned in the foregoing clause.

ART. VII. Russia and Japan agree to operate their respective railroads in Manchuria for commercial and industrial purposes exclusively, but by no means for strategic purposes.

It is agreed that this restriction does not apply to the railroads within the territory covered by the lease of the Liao-tung peninsula.

ART. VIII. The Imperial Governments of Russia and Japan, with a view to favoring and facilitating relations and traffic, shall conclude, as soon as possible, a separate convention to govern their operations of repair on the railroads in Manchuria.

ART. IX. The Imperial Government of Russia cedes to the Imperial Government of Japan, in perpetuity and full sovereignty, the southern part of the island of Saghalin, and all the islands adjacent thereto, as well as all the public works and property there situated. The fiftieth parallel of north latitude is adopted as the limit of the ceded territory. The exact boundary line of this territory shall be determined in accordance with the provisions of additional Article II annexed to this treaty.

Japan and Russia mutually agree not to construct within their respective possessions on the island of Saghalin, and the islands adjacent thereto, any fortification or similar military work. They likewise mutually agree not to adopt any military measures which might hinder the free navigation of the Straits of La Perouse and Tartary.

ART. X. The right is reserved to Russian subjects inhabiting the territory ceded to Japan to sell their real property and return to their country; however, if they prefer to remain in the ceded territory, they shall be guarded and protected in the full enjoyment of their property rights and the exercise of their industries provided they submit to the laws and jurisdiction of Japan. Japan shall have perfect liberty to withdraw the right of residence in this territory from all inhabitants laboring

under political or administrative incapacity, or to deport them from this territory. It pledges itself, however, to fully respect the property rights of these inhabitants.

ART. XI. Russia obligates itself to reach an understanding with Japan in order to grant to Japanese subjects fishing rights along the coast of the Russian possessions in the Seas of Japan, Okhotsk, and Bering.

It is agreed that the above-mentioned obligation shall not impair the rights already belonging to Russian or foreign subjects in these regions.

ART. XII. The treaty of commerce and navigation between Russia and Japan having been annulled by the war, the Imperial Governments of Russia and Japan agree to adopt as a basis for their commercial relations, until the conclusion of a new treaty of commerce and navigation on the basis of the treaty in force before the present war, the system of reciprocity on the principle of the most favored nation, including import and export tariffs, custom-house formalities, transit and tonnage dues, and the admission and treatment of the agents, subjects, and vessels of one country in the territory of the other.

ART. XIII. As soon as possible after the present treaty takes effect, all prisoners of war shall be mutually returned. The Imperial Governments of Russia and Japan shall each appoint a special commissioner to take charge of the prisoners. All prisoners in the custody of one of the governments shall be delivered to the commissioner of the other government or to his duly authorized representative, who shall receive them in such number and in such suitable ports of the surrendering nation as the latter shall notify in advance to the commissioner of the receiving nation.

The Governments of Russia and Japan shall present to each other, as soon as possible after the delivery of the prisoners has been completed, a verified account of the direct expenditures made by them respectively for the care and maintenance of the prisoners from the date of capture or surrender until the date of their death or return. Russia agrees to refund to Japan, as soon as possible after the exchange of these accounts, as above stipulated, the difference between the actual amount thus spent by Japan and the actual amount likewise expended by Russia.

ART. XIV. The present treaty shall be ratified by Their Majesties the Emperor of all the Russias and the Emperor of Japan. This ratification shall, within the shortest possible time and at all events not later than fifty days from the date of the signature of the treaty, be notified to the Imperial Governments of Russia and Japan, respectively, through the ambassador of the United States of America at St. Petersburg and

the minister of France at Tokyo, and from and after the date of the last of these notifications this treaty shall enter into full force in all its parts.

The formal exchange of the ratifications shall take place at Washington as soon as possible.

ART. XV. The present treaty shall be signed in duplicate, in the French and English languages. The two texts are absolutely alike; however, in case of difference of interpretation the French text shall prevail.

In witness whereof the respective plenipotentiaries have signed the present treaty of peace and affixed thereto their seals.

Done at Portsmouth, New Hampshire, the twenty-third day of August [fifth of September] of the year one thousand nine hundred and five, corresponding to the fifth day of the ninth month of the thirty-eighth year of Meiji.

IUTARO KOMURA.	[L. S.]
K. TAKAHIRA.	[L. S.]
SERGIUS WITTE.	[L. S.]
ROSEN.	[L. S.]

In conformity with the provisions of Articles II and IX of the treaty of peace between Russia and Japan under this date, the undersigned plenipotentiaries, have concluded the following additional articles:

I. To Article III:

The Imperial Governments of Russia and Japan mutually agree to begin the withdrawal of their military forces from the territory of Manchuria simultaneously and immediately after the entrance into force of the treaty of peace; and within a period of eighteen months from this date the armies of the two powers shall be entirely withdrawn from Manchuria, with the exception of the leased territory of the peninsula of Liao-tung.

The forces of the two powers occupying advanced positions shall be withdrawn first.

The high contracting parties reserve the right to maintain guards for the protection of their respective railroad lines in Manchuria.

The number of these guards shall not exceed 15 men per kilometer, and within the limit of this maximum number the commanders of the Russian and Japanese armies shall, by mutual agreement, fix the number of guards who are to be employed, this number being as low as possible and in accordance with actual requirements. The commanders of the Russian and Japanese forces in Manchuria shall reach an understanding regarding all the details connected with the evacuation, in conformity with the principles herein above set forth, and shall, by mutual agree-

ment, adopt the measures necessary to carry out the evacuation as soon as possible and at all events within a period not exceeding eighteen months.

II. To Article IX:

As soon as possible after the present treaty takes effect, a boundary commission composed of an equal number of members appointed respectively by the two high contracting parties shall mark on the spot and in a permanent manner the exact line between the Russian and Japanese possessions on the island of Saghalin. The commission shall be obliged, as far as topographical conditions permit, to follow the 50th parallel of north latitude for the line of demarcation, and in case any deviations from this line are found necessary at certain points compensation shall be made therefor by making corresponding deviations at other points. It shall also be the duty of said commission to prepare a list and description of the adjacent islands which are comprised within the cession, and finally the commission shall prepare and sign maps showing the boundaries of the ceded territory. The labors of the commission shall be submitted to the approval of the high contracting parties.

The additional articles mentioned hereinabove shall be considered as being ratified by the ratification of the treaty of peace, to which they are annexed.

Portsmouth, August 23 [September 5], 1905, corresponding to the 5th day, 9th month, and 38th year of Meiji.

IUTARO KOMURA.  
K. TAKAHIRA.  
SERGIUS WITTE.  
ROSEN.

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*An Act of Newfoundland respecting Foreign Fishing Vessels.*

(Passed June 15, 1905).

Be it enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:—

1. Any Justice of the Peace, Sub-collector, Preventive Officer, Fishery Warden or Constable, may go on board any foreign fishing vessel being within any port on the coasts of this Island, or hovering in British waters within three marine miles of any of the coasts, bays, creeks or harbours in this Island, and may bring such foreign fishing vessel into port, may search her cargo and may examine the master upon oath touching the cargo and voyage; and the master or person in command

shall answer truly such questions as shall be put to him under a penalty not exceeding five hundred dollars. And if such foreign fishing vessel has on board any herring, caplin, squid, or other bait fishes, ice, lines, seines, or other outfits or supplies for the fishery, purchased within any port on the coasts of this Island or within the distance of three marine miles from any of the coasts, bays, creeks, or harbours of this Island, or if the master of the said vessel shall have engaged, or attempted to engage, any person to form part of the crew of the said vessel in any port or on any part of the coasts of this Island, or has entered such waters for any purpose not permitted by treaty or convention for the time being in force, such vessel and the tackle, rigging, apparel, furniture, stores and cargo thereof shall be forfeited.

2. All goods and vessels, and the tackle, rigging, apparel, furniture, stores and cargo thereof, liable to forfeiture under this Act, may be seized and secured by any officer or person mentioned in the first section hereof, and every person opposing any such officer or person in the execution of his duty under this Act, or aiding or abetting any other person in such opposition, shall be deemed guilty of a misdemeanour and liable to a fine of five hundred dollars.

3. In any prosecution under this Act, the presence on board any foreign fishing vessel in any port of this Island, or within British waters aforesaid, of any caplin, squid, or other bait fishes, of ice, lines, seines, or other outfit or supplies for the fishery, shall be *prima facie* evidence of the purchase of the said bait fishes and supplies and outfits within such port or waters.

4. All offenders against the provisions of this Act may be prosecuted and convicted, and all fines, forfeitures, penalties, and other punishments imposed, recovered and made in a summary manner before a Stipendiary Magistrate, and any vessel, and the tackle, rigging, apparel, furniture, stores and cargo thereof liable to forfeiture under the provisions of this Act, may be sued for, prosecuted, recovered and condemned in a summary manner before a Stipendiary Magistrate in a proceeding against the master or other person in charge of such vessel. For the purposes of this Act, all Stipendiary Magistrates shall be deemed to be Stipendiary Magistrates for the Colony, and may exercise the jurisdiction given by this Act in any part of the Colony.

5. If any person convicted under this Act shall feel himself aggrieved by such conviction, he may appeal therefrom to the then next sitting of His Majesty's Supreme Court, holden in or nearest the place where such conviction shall have been had, or in St. John's: Provided notice of such appeal, and of the cause and matter thereof, be given to the con-

victing Magistrate, in writing, within seven days next after such conviction, and the party desiring to appeal shall also, within fourteen days after such notice, give and enter into recognizance with two approved sureties before the convicting Magistrate, conditioned for the appearance of the person convicted at such next sitting of the Supreme Court, on the first day of such sitting, for the prosecution of the appeal with effect and without delay, to abide the judgment of the Court thereon, and for the delivery and surrender of any vessel or other property ordered to be confiscated, and to pay such costs as the Court may award.

6. No proceeding or conviction by, nor order of, any Magistrate or other officer under this Act, shall be quashed or set aside for any informality; provided the same shall be substantially in accordance with the intent and meaning of this Act.

7. Nothing in this Act shall affect the rights and privileges granted by Treaty to the subjects of any State in amity with His Majesty.

8. The Governor in Council may at any time, by proclamation, suspend the operation of this Act for such period as may be expedient and as shall be declared in such proclamation.

9. In this Act the word "vessel" shall include any boat or ship registered or not registered, jack, skiff, punt or launch, whether propelled by sails, oars or steam.

10. The Act 56 Vic., cap. 6, entitled "An Act respecting Foreign Fishing Vessels," is hereby repealed.

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*An Act of Newfoundland respecting Foreign Fishing Vessels.*

(Passed 10th May, 1906.)

Be it enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:—

1. Any Justice of the Peace, Sub-Collector, Preventive Officer, Fishery Warden or Constable, may go on board any foreign fishing vessel being within any port on the coasts of this Colony, or hovering in British waters within three marine miles of any of the coasts, bays, creeks or harbours in this Colony, and may bring such foreign fishing vessel into port, may search her cargo, and may examine the master upon oath touching the cargo and voyage, and the master or person in command shall answer truly such questions as shall be put to him, under a penalty not exceeding five hundred dollars.

2. If any foreign fishing vessel be found within any port on the coasts of this Colony, or hovering in British waters within three marine miles of any of the coasts, bays, creeks, or harbours in this Colony, and

having on board any herring, caplin, squid, or other bait fishes, ice, lines, seines, or other outfit or supplies for the fishery, purchased within any port on the coasts of this Colony or within the distance of three marine miles from any of the coasts, bays, creeks, or harbours of this Colony; or if the master, owner or agent of the said vessel shall have engaged, or attempted to engage, any person to form part of the crew of the said vessel in any port, or on any part of the coasts of this Colony, or has entered such waters for any purpose not permitted by treaty or convention for the time being in force, the master, owner or agent shall be liable to a penalty not exceeding one hundred dollars, or such vessel and the tackle, rigging, apparel, furniture, stores and cargo thereof shall be forfeited, as the magistrate before whom the proceeding is taken shall determine.

3. All goods and vessels, and the tackle, rigging, apparel, furniture, stores and cargo thereof, liable to forfeiture under this Act, may be seized and secured by any officer or person mentioned in the first section hereof, and every person opposing any such officer or person in the execution of his duty under this Act, or aiding or abetting any other person in such opposition, shall be deemed guilty of a misdemeanor and liable to a fine of five hundred dollars.

4. In any prosecution under this Act, the presence on board any foreign fishing vessel in any port of this Colony, or within British waters aforesaid, of any caplin, squid, or other bait fishes, of ice, lines, seines, or other outfit or supplies for the fishery, shall be *prima facie* evidence of the purchase of the said bait fishes and supplies and outfit within such port or waters.

5. No alien, not so entitled by treaty or convention for the time being in force, shall fish in the waters of this Colony; and the master, owner, or agent of any fishing vessel who permits any alien not so entitled to fish in, from, or for such vessel, shall be liable to a penalty not exceeding one hundred dollars, or to the forfeiture of such vessel, as the magistrate shall determine.

6. No person, being a British subject, shall fish in, from, or for a foreign fishing vessel in the waters of this Colony, and the master, owner, or agent of any foreign fishing vessel who permits any such British subject to fish in, for, or from such vessel, shall be liable to a penalty not exceeding one hundred dollars, or to the forfeiture of such vessel, as the magistrate shall determine.

7. No person, being a resident of this Colony, shall leave this Colony for the purpose of engaging in foreign fishing vessels which are fishing or intending to fish in the waters of this Colony, under a penalty not exceeding one hundred dollars.

8. No person, being a resident of this Colony, shall sell, let, hire, lend or remove from this Colony, for the purpose of selling, letting, hiring, or lending to a master, owner, or agent of any foreign fishing vessel any boats, nets, or gear, under a penalty not exceeding one hundred dollars; nor shall the master, owner or agent of any foreign fishing vessel buy, hire, or borrow, in any port or place in this Colony, or in the waters of this Colony, any boats, nets, or fishing gear, from any person resident in this Colony, under a penalty for each offence not exceeding one hundred dollars.

9. The master of any vessel who conveys any person resident in the Colony outside the waters of this Colony, for the purpose of enabling such person to be engaged on board any foreign fishing vessel, shall be liable to a penalty not exceeding one hundred dollars.

10. All offenders against the provisions of this Act may be prosecuted and convicted, and all fines, forfeitures, penalties, and other punishments imposed, recovered and made in a summary manner before a Stipendiary Magistrate; and any vessel, and the tackle, rigging, apparel, furniture, stores and cargo thereof, liable to forfeiture under the provisions of this Act, may be sued for, prosecuted, recovered and condemned in a summary manner before a Stipendiary Magistrate in a proceeding against the master or other person in charge of such vessel. For the purposes of this Act all Stipendiary Magistrates shall be deemed to be Stipendiary Magistrates for the Colony, and may exercise the jurisdiction given by this Act in any part of the Colony.

11. If any person convicted under this Act shall feel himself aggrieved by such conviction, he may appeal therefrom to the then next sitting of His Majesty's Supreme Court, holden in or nearest the place where such conviction shall have been had, or in St. John's: Provided notice of such appeal, and of the cause and matter thereof, be given to the convicting magistrate in writing within seven days next after such conviction, and the party desiring to appeal shall also, within fourteen days after such notice, give and enter into recognizance, with two approved sureties, before the convicting magistrate, conditioned for the appearance of the person convicted at such next sitting of the Supreme Court, on the first day of such sitting, for the prosecution of the appeal with effect and without delay, to abide the judgment of the Court thereon, and for the delivery and surrender of any vessel or other property ordered to be confiscated, and to pay such costs as the Court may award.

12. No proceeding or conviction by, nor order of, any Magistrate or other officer under this Act shall be quashed or set aside for any inform-

ality; provided the same shall be substantially in accordance with the intent and meaning of this Act.

13. All foreign fishing vessels exercising rights under any treaty or convention shall be amenable to all the laws of the Colony not inconsistent with any such rights under treaty or convention.

14. Nothing in this Act shall affect the rights and privileges granted by treaty to the subjects of any State in amity with His Majesty; and sections 1 and 4 hereof shall not be held to apply to any foreign fishing vessels resorting to the waters of this Colony for the exercise of treaty rights.

15. The Governor in Council may at any time by proclamation suspend or limit the operation of this Act, as to the whole Act or any part thereof, and in relation to the whole Colony, or any district or parts thereof, and as to all or any classes of persons, and for any period as shall be expedient and as may be declared in such proclamation.

16. In this Act the word "vessel" shall include any boat or ship, registered or not registered, jack, skiff, punt, or launch, whether propelled by sails, oars or steam.

17. The Act 5, Ed. VII., cap. 4, entitled "An Act respecting Foreign Fishing Vessels," is hereby repealed.

18. This Act shall come into operation upon a day to be appointed for that purpose, by proclamation of the Governor, to the effect that the same has been approved and confirmed by His Majesty in Council.

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*Modus Vivendi Between the United States and Great Britain in Regard to  
Inshore Fisheries on the Treaty Coast of Newfoundland.*

AGREEMENT EFFECTED BY EXCHANGE OF NOTES AT LONDON OCT. 6-8, 1906.

*The American Ambassador to the British Foreign Office.*

AMERICAN EMBASSY, LONDON, October 6th, 1906.

SIR, I am authorized by my Government to ratify a *modus vivendi* in regard to the Newfoundland Fishery Question on the basis of the Foreign Office Memorandum, dated the 25th of September, 1906, in which you accept the arrangement set out in my Memorandum of the 12th of September and consent accordingly to the use of purse seines by American fishermen during the ensuing season, subject of course to due regard being paid in the use of such implements to other modes of fishery, which, as you state, is only intended to secure that there shall be the same spirit of give and take and of respect for common rights

between the users of purse seines and the users of stationary nets as would be expected to exist if both sets of fishermen employed the same gear.

My Government understand by this that the use of purse seines by American fishermen is not to be interfered with, and that the shipment of Newfoundlanders by American fishermen outside the 3 mile limit is not to be made the basis of interference or to be penalized; at the same time they are glad to assure His Majesty's Government, should such shipments be found necessary, that they will be made far enough from the exact 3 mile limit to avoid any reasonable doubt.

On the other hand it is also understood that our fishermen are to be advised by my Government, and to agree, not to fish on Sunday.

It is further understood that His Majesty's Government will not bring into force the Newfoundland Foreign Fishing Vessels Act of 1906 which imposes on American fishing vessels certain restrictions in addition to those imposed by the Act of 1905, and also that the provisions of the first part of Section I of the Act of 1905, as to boarding and bringing into port, and also the whole of Section 3 of the same Act, will not be regarded as applying to American fishing vessels.

It also being understood that our fishermen will gladly pay light dues if they are not deprived of their rights to fish, and that our fishermen are not unwilling to comply with the provisions of the Colonial Customs Law as to reporting at a custom house when physically possible to do so.

I need not add that my Government are most anxious that the provisions of the *modus vivendi* should be made effective at the earliest possible moment. I am glad to be assured by you that this note will be considered as sufficient ratification of the *modus vivendi*, on the part of my Government.

I have the honour to be, with the highest consideration, Sir,

Your most obedient, humble Servant,

WHITELAW REID,

The Right Honble. Sir Edward Grey, Bt.,

*Etc. Etc. Etc.*

*The British Foreign Office to the American Ambassador.*

No. 34002.]

FOREIGN OFFICE, October 8th, 1906.

YOUR EXCELLENCY, I have received with satisfaction the note of the 6th instant in which Your Excellency states that you have been authorized by your Government to ratify a *modus vivendi* in regard to the Newfoundland Fishery Question on the basis of the Memorandum which I had the honour to communicate to you on the 25th ultimo, and

I am glad to assure Your Excellency that the note in question will be considered by His Majesty's Government as a sufficient ratification of that arrangement on the part of the United States Government.

His Majesty's Government fully share the desire of your Government that the provisions of the *modus vivendi* should be made effective at the earliest moment possible and the necessary instructions for its observance were accordingly sent to the Government of Newfoundland immediately on receipt of Your Excellency's communication.

I have the honour to be, with the highest Consideration,

Your Excellency's most obedient, humble Servant,

(In the absence of the Secretary of State)

E. GORST.

His Excellency the Honourable WHITELAW REID,

*Etc. Etc. Etc.*

MEMORANDUM.

My Government hears with the greatest concern and regret that in the opinion of His Majesty's Government there is so wide a divergence of views with regard to the Newfoundland Fisheries that an immediate settlement is hopeless.

But it is much gratified with His Majesty's Government's desire to reach a *modus vivendi* for this season, and appreciates the readiness to waive the Foreign Fishing Vessels Act of 1906. This and other restrictive legislation had compelled our fishermen to use purse seines or abandon their treaty rights.

My Government sees in the offer not to apply Section 3, Act of 1905 and that part of Section 1 relating to boarding fishing vessels and bringing them into port fresh proof of a cordial disposition not to press unduly this kind of regulation.

Our fishermen will also gladly pay light dues, if not hindered in their right to fish. They are not unwilling either, to comply with the regulation to report at Custom Houses, when possible. It is sometimes physically impossible, however, to break through the ice for that purpose.

Most unfortunately the remaining proposals, those as to purse-seining and Sunday fishing, present very grave difficulties.

We appreciate perfectly the desire of His Majesty's Government to prevent Sunday fishing. But if both this and purse-seine fishing are taken away, as things stand there might be no opportunity for profitable fishing left under our treaty rights. We are convinced that purse seines are no more injurious to the common fishery than the gill nets commonly

used—are not in fact so destructive and do not tend to change the migratory course of the herring as gill nets do, through the death of a large percentage of the catch and consequent pollution of the water.

The small amount of purse-seining this season could not of course materially affect the common fishery anyway. Besides many of our fishermen have already sailed, with purse seines as usual, and the others are already provided with them. This use of the purse seine was not the free choice of our fishermen. They have been driven to it by local regulations and the continued use of it at this late date this year seems vital.

But we will renounce Sunday fishing for this season if His Majesty's Government will consent to the use of purse seines, and we cannot too strongly urge an acceptance of this solution.

AMERICAN EMBASSY, LONDON.

*September, 12, 1906.*

(32335)

MEMORANDUM.

His Majesty's Government have considered, after consultation with the Government of Newfoundland, the proposals put forward in the Memorandum communicated by the United States Ambassador on the 12th instant, respecting the suggested "modus vivendi" in regard to the Newfoundland Fishery question.

They are glad to be able to state that they accept the arrangement set out in the above Memorandum and consent accordingly to the use of purse seines by United States fishermen during the ensuing season, subject, of course, to due regard being paid, in the use of such implements, to other modes of fishery.

His Majesty's Government trust that the United States Government will raise no objection to such a stipulation, which is only intended to secure that there shall be the same spirit of give and take and of respect of common rights between the users of purse seines and the users of stationary nets as would be expected to exist if both sets of fishermen employed the same gear.

They further hope that, in view of this temporary authorization of the purse seines, the United States Government will see their way to arranging that the practice of engaging Newfoundland fishermen just outside the three mile limit which to some extent prevailed last year should not be resorted to this year.

An arrangement to this effect would save both His Majesty's Government and the Newfoundland Government from embarrassment which

it is conceived, having regard to the circumstances in which the "modus vivendi" is being settled, the United States Government would not willingly impose upon them. Moreover it is not in itself unreasonable, seeing that the unwillingness of the United States Government to forego the use of purse seines appears to be largely based upon the inability of their fishermen to engage local men to work the form of net recognized by the Colonial fishery regulations.

The United States Government assured His Majesty's late Government in November last that they would not countenance a specified evasion of the Newfoundland Foreign Fishing Vessels Act 1905, and the proposed arrangement would appear to be in accordance with the spirit which prompted that assurance.

FOREIGN OFFICE,

*September 25, 1906.*

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*An Act to Establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States. Approved June 29, 1906.*

[Stat. 1905-6, Part I, p. 596.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the designation of the Bureau of Immigration in the Department of Commerce and Labor is hereby changed to the "Bureau of Immigration and Naturalization," which said Bureau, under the direction and control of the Secretary of Commerce and Labor, in addition to the duties now provided by law, shall have charge of all matters concerning the naturalization of aliens. That it shall be the duty of the said Bureau to provide, for use at the various immigration stations throughout the United States, books of record, wherein the commissioners of immigration shall cause a registry to be made in the case of each alien arriving in the United States from and after the passage of this Act of the name, age, occupation, personal description (including height, complexion, color of hair and eyes), the place of birth, the last residence, the intended place of residence in the United States, and the date of arrival of said alien, and, if entered through a port, the name of the vessel in which he comes. And it shall be the duty of said commissioners of immigration to cause to be granted to such alien a certificate of such registry, with the particulars thereof.*

SEC. 2. That the Secretary of Commerce and Labor shall provide the said Bureau with such additional furnished offices within the city of

Washington, such books of record and facilities, and such additional assistants, clerks, stenographers, typewriters, and other employees as may be necessary for the proper discharge of the duties imposed by this Act upon such Bureau, fixing the compensation of such additional employees until July first, nineteen hundred and seven, within the appropriations made for that purpose.

SEC. 3. That exclusive jurisdiction to naturalize aliens as citizens of the United States is hereby conferred upon the following specified courts:

United States circuit and district courts now existing, or which may hereafter be established by Congress in any State, United States district courts for the Territories of Arizona, New Mexico, Oklahoma, Hawaii, and Alaska, the supreme court of the District of Columbia, and the United States courts for the Indian Territory; also all courts of record in any State or Territory now existing, or which may hereafter be created, having a seal, a clerk, and jurisdiction in actions at law or equity, or law and equity, in which the amount in controversy is unlimited.

That the naturalization jurisdiction of all courts herein specified, State, Territorial, and Federal, shall extend only to aliens resident within the respective judicial districts of such courts.

The courts herein specified shall, upon the requisition of the clerks of such courts, be furnished from time to time by the Bureau of Immigration and Naturalization with such blank forms as may be required in the naturalization of aliens, and all certificates of naturalization shall be consecutively numbered and printed on safety paper furnished by said Bureau.

SEC. 4. That an alien may be admitted to become a citizen of the United States in the following manner and not otherwise:

First. He shall declare on oath before the clerk of any court authorized by this Act to naturalize aliens, or his authorized deputy, in the district in which such alien resides, two years at least prior to his admission, and after he has reached the age of eighteen years, that it is bona fide his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, and particularly, by name, to the prince, potentate, state, or sovereignty of which the alien may be at the time a citizen or subject. And such declaration shall set forth the name, age, occupation, personal description, place of birth, last foreign residence and allegiance, the date of arrival, the name of the vessel, if any, in which he came to the United States, and the present place of residence in the United States of said alien: *Provided, however,* That no alien who, in conformity with the law in force at the date of his declara-

tion, has declared his intention to become a citizen of the United States shall be required to renew such declaration.

Second. Not less than two years nor more than seven years after he has made such declaration of intention he shall make and file, in duplicate, a petition in writing, signed by the applicant in his own handwriting and duly verified, in which petition such applicant shall state his full name, his place of residence (by street and number, if possible), his occupation, and, if possible, the date and place of his birth; the place from which he emigrated, and the date and place of his arrival in the United States, and, if he entered through a port, the name of the vessel on which he arrived; the time when and the place and name of the court where he declared his intention to become a citizen of the United States; if he is married he shall state the name of his wife and, if possible, the country of her nativity and her place of residence at the time of filing his petition; and if he has children, the name, date, and place of birth and place of residence of each child living at the time of the filing of his petition: *Provided*, That if he has filed his declaration before the passage of this Act he shall not be required to sign the petition in his own handwriting.

The petition shall set forth that he is not a disbeliever in or opposed to organized government, or a member of or affiliated with any organization or body of persons teaching disbelief in or opposed to organized government, a polygamist or believer in the practice of polygamy, and that it is his intention to become a citizen of the United States and to renounce absolutely and forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, and particularly by name to the prince, potentate, state, or sovereignty of which he at the time of filing of his petition may be a citizen or subject, and that it is his intention to reside permanently within the United States, and whether or not he has been denied admission as a citizen of the United States, and, if denied, the ground or grounds of such denial, the court or courts in which such decision was rendered, and that the cause for such denial has since been cured or removed, and every fact material to his naturalization and required to be proved upon the final hearing of his application.

The petition shall also be verified by the affidavits of at least two credible witnesses, who are citizens of the United States, and who shall state in their affidavits that they have personally known the applicant to be a resident of the United States for a period of at least five years continuously, and of the State, Territory, or district in which the application is made for a period of at least one year immediately

preceding the date of the filing of his petition, and that they each have personal knowledge that the petitioner is a person of good moral character, and that he is in every way qualified, in their opinion, to be admitted as a citizen of the United States.

At the time of filing his petition there shall be filed with the clerk of the court a certificate from the Department of Commerce and Labor, if the petitioner arrives in the United States after the passage of this Act, stating the date, place, and manner of his arrival in the United States, and the declaration of intention of such petitioner, which certificate and declaration shall be attached to and made a part of said petition.

Third. He shall, before he is admitted to citizenship, declare on oath in open court that he will support the Constitution of the United States, and that he absolutely and entirely renounces and abjures all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, and particularly by name to the prince, potentate, state, or sovereignty of which he was before a citizen or subject; that he will support and defend the Constitution and laws of the United States against all enemies, foreign and domestic, and bear true faith and allegiance to the same.

Fourth. It shall be made to appear to the satisfaction of the court admitting any alien to citizenship that immediately preceding the date of his application he has resided continuously within the United States five years at least, and within the State or Territory where such court is at the time held one year at least, and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same. In addition to the oath of the applicant, the testimony of at least two witnesses, citizens of the United States, as to the facts of residence, moral character, and attachment to the principles of the Constitution shall be required, and the name, place of residence, and occupation of each witness shall be set forth in the record.

Fifth. In case the alien applying to be admitted to citizenship has borne any hereditary title, or has been of any of the orders of nobility in the kingdom or state from which he came, he shall, in addition to the above requisites, make an express renunciation of his title or order of nobility in the court to which his application is made, and his renunciation shall be recorded in the court.

Sixth. When any alien who has declared his intention to become a citizen of the United States dies before he is actually naturalized the widow and minor children of such alien may, by complying with the

other provisions of this Act, be naturalized without making any declaration of intention.

SEC. 5. That the clerk of the court shall, immediately after filing the petition, give notice thereof by posting in a public and conspicuous place in his office, or in the building in which his office is situated, under an appropriate heading, the name, nativity, and residence of the alien, the date and place of his arrival in the United States, and the date, as nearly as may be, for the final hearing of his petition, and the names of the witnesses whom the applicant expects to summon in his behalf; and the clerk shall, if the applicant requests it, issue a subpœna for the witnesses so named by the said applicant to appear upon the day set for the final hearing, but in case such witnesses cannot be produced upon the final hearing other witnesses may be summoned.

SEC. 6. That petitions for naturalization may be made and filed during term time or vacation of the court and shall be docketed the same day as filed, but final action thereon shall be had only on stated days, to be fixed by rule of the court, and in no case shall final action be had upon a petition until at least ninety days have elapsed after filing and posting the notice of such petition: *Provided*, That no person shall be naturalized nor shall any certificate of naturalization be issued by any court within thirty days preceding the holding of any general election within its territorial jurisdiction. It shall be lawful, at the time and as a part of the naturalization of any alien, for the court, in its discretion, upon the petition of such alien, to make a decree changing the name of said alien, and his certificate of naturalization shall be issued to him in accordance therewith.

SEC. 7. That no person who disbelieves in or who is opposed to organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States, or of any other organized government, because of his or their official character, or who is a polygamist, shall be naturalized or be made a citizen of the United States.

SEC. 8. That no alien shall hereafter be naturalized or admitted as a citizen of the United States who can not speak the English language: *Provided*, That this requirement shall not apply to aliens who are physically unable to comply therewith, if they are otherwise qualified to become citizens of the United States: *And provided further*, That the requirements of this section shall not apply to any alien who has prior

to the passage of this Act declared his intention to become a citizen of the United States in conformity with the law in force at the date of making such declaration: *Provided further*, That the requirements of section eight shall not apply to aliens who shall hereafter declare their intention to become citizens and who shall make homestead entries upon the public lands of the United States and comply in all respects with the laws providing for homestead entries on such lands.

SEC. 9. That every final hearing upon such petition shall be had in open court before a judge or judges thereof, and every final order which may be made upon such petition shall be under the hand of the court and entered in full upon a record kept for that purpose, and upon such final hearing of such petition the applicant and witnesses shall be examined under oath before the court and in the presence of the court.

SEC. 10. That in case the petitioner has not resided in the State, Territory, or district for a period of five years continuously and immediately preceding the filing of his petition he may establish by two witnesses, both in his petition and at the hearing, the time of his residence within the State, provided that it has been for more than one year, and the remaining portion of his five years' residence within the United States required by law to be established may be proved by the depositions of two or more witnesses who are citizens of the United States, upon notice to the Bureau of Immigration and Naturalization and the United States attorney for the district in which said witnesses may reside.

SEC. 11. That the United States shall have the right to appear before any court or courts exercising jurisdiction in naturalization proceedings for the purpose of cross-examining the petitioner and the witnesses produced in support of his petition concerning any matter touching or in any way affecting his right to admission to citizenship, and shall have the right to call witnesses, produce evidence, and be heard in opposition to the granting of any petition in naturalization proceedings.

SEC. 12. That it is hereby made the duty of the clerk of each and every court exercising jurisdiction in naturalization matters under the provisions of this Act to keep and file a duplicate of each declaration of intention made before him and to send to the Bureau of Immigration and Naturalization at Washington, within thirty days after the issuance of a certificate of citizenship, a duplicate of such certificate, and to make and keep on file in his office a stub for each certificate so issued by him, whereon shall be entered a memorandum of all the essential facts set forth in such certificate. It shall also be the duty of the clerk of each of said courts to report to the said Bureau, within thirty days after the final hearing and decision of the court, the name of each and

every alien who shall be denied naturalization, and to furnish to said Bureau duplicates of all petitions within thirty days after the filing of the same, and certified copies of such other proceedings and orders instituted in or issued out of said court affecting or relating to the naturalization of aliens as may be required from time to time by the said Bureau.

In case any such clerk or officer acting under his direction shall refuse or neglect to comply with any of the foregoing provisions he shall forfeit and pay to the United States the sum of twenty-five dollars in each and every case in which such violation or omission occurs, and the amount of such forfeiture may be recovered by the United States in an action of debt against such clerk.

Clerks of courts having and exercising jurisdiction in naturalization matters shall be responsible for all blank certificates of citizenship received by them from time to time from the Bureau of Immigration and Naturalization, and shall account for the same to the said Bureau whenever required so to do by such Bureau. No certificate of citizenship received by any such clerk which may be defaced or injured in such manner as to prevent its use as herein provided shall in any case be destroyed, but such certificate shall be returned to the said Bureau; and in case any such clerk shall fail to return or properly account for any certificate furnished by the said Bureau, as herein provided, he shall be liable to the United States in the sum of fifty dollars, to be recovered in an action of debt, for each and every certificate not properly accounted for or returned.

SEC. 13. That the clerk of each and every court exercising jurisdiction in naturalization cases shall charge, collect, and account for the following fees in each proceeding:

For receiving and filing a declaration of intention and issuing a duplicate thereof, one dollar.

For making, filing, and docketing the petition of an alien for admission as a citizen of the United States and for the final hearing thereon, two dollars; and for entering the final order and the issuance of the certificate of citizenship thereunder, if granted, two dollars.

The clerk of any court collecting such fees is hereby authorized to retain one-half of the fees collected by him in such naturalization proceeding; the remaining one-half of the naturalization fees in each case collected by such clerks, respectively, shall be accounted for in their quarterly accounts, which they are hereby required to render the Bureau of Immigration and Naturalization, and paid over to such Bureau within thirty days from the close of each quarter in each and every fiscal year,

and the moneys so received shall be paid over to the disbursing clerk of the Department of Commerce and Labor, who shall thereupon deposit them in the Treasury of the United States, rendering an account therefor quarterly to the Auditor for the State and other Departments, and the said disbursing clerk shall be held responsible under his bond for said fees so received.

In addition to the fees herein required, the petitioner shall, upon the filing of his petition to become a citizen of the United States, deposit with and pay to the clerk of the court a sum of money sufficient to cover the expenses of subpœnaing and paying the legal fees of any witnesses for whom he may request a subpœna, and upon the final discharge of such witnesses they shall receive, if they demand the same from the clerk, the customary and usual witness fees from the moneys which the petitioner shall have paid to such clerk for such purpose, and the residue, if any, shall be returned by the clerk to the petitioner: *Provided*, That the clerks of courts exercising jurisdiction in naturalization proceedings shall be permitted to retain one-half of the fees in any fiscal year up to the sum of three thousand dollars, and that all fees received by such clerks in naturalization proceedings in excess of such amount shall be accounted for and paid over to said Bureau as in case of other fees to which the United States may be entitled under the provisions of this Act. The clerks of the various courts exercising jurisdiction in naturalization proceedings shall pay all additional clerical force that may be required in performing the duties imposed by this Act upon the clerks of courts from fees received by such clerks in naturalization proceedings. And in case the clerk of any court collects fees in excess of the sum of six thousand dollars in any one year, the Secretary of Commerce and Labor may allow to such clerk from the money which the United States shall receive additional compensation for the employment of additional clerical assistance, but for no other purpose, if in the opinion of the said Secretary the business of such clerk warrants such allowance.

SEC. 14. That the declarations of intention and the petitions for naturalization shall be bound in chronological order in separate volumes, indexed, consecutively numbered, and made part of the records of the court. Each certificate of naturalization issued shall bear upon its face, in a place prepared therefor, the volume number and page number of the petition whereon such certificate was issued, and the volume number and page number of the stub of such certificate.

SEC. 15. That it shall be the duty of the United States district attorneys for the respective districts, upon affidavit showing good cause

therefor, to institute proceedings in any court having jurisdiction to naturalize aliens in the judicial district in which the naturalized citizen may reside at the time of bringing the suit, for the purpose of setting aside and canceling the certificate of citizenship on the ground of fraud or on the ground that such certificate of citizenship was illegally procured. In any such proceedings the party holding the certificate of citizenship alleged to have been fraudulently or illegally procured shall have sixty days personal notice in which to make answer to the petition of the United States; and if the holder of such certificate be absent from the United States or from the district in which he last had his residence, such notice shall be given by publication in the manner provided for the service of summons by publication or upon absentees by the laws of the State or the place where such suit is brought.

If any alien who shall have secured a certificate of citizenship under the provisions of this Act shall, within five years after the issuance of such certificate, return to the country of his nativity, or go to any other foreign country, and take permanent residence therein, it shall be considered *prima facie* evidence of a lack of intention on the part of such alien to become a permanent citizen of the United States at the time of filing his application for citizenship, and, in the absence of countervailing evidence, it shall be sufficient in the proper proceeding to authorize the cancellation of his certificate of citizenship as fraudulent, and the diplomatic and consular officers of the United States in foreign countries shall from time to time, through the Department of State, furnish the Department of Justice with the names of those within their respective jurisdictions who have such certificates of citizenship and who have taken permanent residence in the country of their nativity, or in any other foreign country, and such statements, duly certified, shall be admissible in evidence in all courts in proceedings to cancel certificates of citizenship.

Whenever any certificate of citizenship shall be set aside or canceled, as herein provided, the court in which such judgment or decree is rendered shall make an order canceling such certificate of citizenship and shall send a certified copy of such order to the Bureau of Immigration and Naturalization; and in case such certificate was not originally issued by the court making such order it shall direct the clerk of the court to transmit a copy of such order and judgment to the court out of which such certificate of citizenship shall have been originally issued. And it shall thereupon be the duty of the clerk of the court receiving such certified copy of the order and judgment of the court to enter the same of record and to cancel such original certificate of

citizenship upon the records and to notify the Bureau of Immigration and Naturalization of such cancellation.

The provisions of this section shall apply not only to certificates of citizenship issued under the provisions of this Act, but to all certificates of citizenship which may have been issued heretofore by any court exercising jurisdiction in naturalization proceedings under prior laws.

SEC. 16. That every person who falsely makes, forges, counterfeits, or causes or procures to be falsely made, forged, or counterfeited, or knowingly aids or assists in falsely making, forging, or counterfeiting any certificate of citizenship, with intent to use the same, or with the intent that the same may be used by some other person or persons, shall be guilty of a felony, and a person convicted of such offence shall be punished by imprisonment for not more than ten years, or by a fine of not more than ten thousand dollars, or by both such fine and imprisonment.

SEC. 17. That every person who engraves or causes or procures to be engraved, or assists in engraving, any plate in the likeness of any plate designed for the printing of a certificate of citizenship, or who sells any such plate, or who brings into the United States from any foreign place any such plate, except under the direction of the Secretary of Commerce and Labor, or other proper officer, and any person who has in his control, custody, or possession any metallic plate engraved after the similitude of any plate from which any such certificate has been printed, with intent to use such plate or suffer the same to be used in forging or counterfeiting any such certificate or any part thereof; and every person who prints, photographs, or in any other manner causes to be printed, photographed, made or executed, any print or impression in the likeness of any such certificate, or any part thereof, or who sells any such certificate, or brings the same into the United States from any foreign place, except by direction of some proper officer of the United States, or who has in his possession a distinctive paper which has been adopted by the proper officer of the United States for the printing of such certificate, with intent to unlawfully use the same, shall be punished by a fine of not more than ten thousand dollars, or by imprisonment at hard labor for not more than ten years, or by both such fine and imprisonment.

SEC. 18. That it is hereby made a felony for any clerk or other person to issue or be a party to the issuance of a certificate of citizenship contrary to the provisions of this Act, except upon a final order under the hand of a court having jurisdiction to make such order, and upon conviction thereof such clerk or other person shall be punished by imprison-

ment for not more than five years and by a fine of not more than five thousand dollars, in the discretion of the court.

SEC. 19. That every person who without lawful excuse is possessed of any blank certificate of citizenship provided by the Bureau of Immigration and Naturalization, with intent unlawfully to use the same, shall be imprisoned at hard labor not more than five years or be fined not more than one thousand dollars.

SEC. 20. That any clerk or other officer of a court having power under this Act to naturalize aliens, who willfully neglects to render true accounts of moneys received by him for naturalization proceedings or who willfully neglects to pay over any balance of such moneys due to the United States within thirty days after said payment shall become due and demand therefor has been made and refused, shall be deemed guilty of embezzlement of the public moneys, and shall be punishable by imprisonment for not more than five years, or by a fine of not more than five thousand dollars, or both.

SEC. 21. That it shall be unlawful for any clerk of any court or his authorized deputy or assistant exercising jurisdiction in naturalization proceedings, or to demand, charge, collect, or receive any other or additional fees or moneys in naturalization proceedings save the fees and moneys herein specified; and a violation of any of the provisions of this section or any part thereof is hereby declared to be a misdemeanor and shall be punished by imprisonment for not more than two years, or by a fine of not more than one thousand dollars, or by both such fine and imprisonment.

SEC. 22. That the clerk of any court exercising jurisdiction in naturalization proceedings, or any person acting under authority of this Act, who shall knowingly certify that a petitioner, affiant, or witness named in an affidavit, petition, or certificate of citizenship, or other paper or writing required to be executed under the provisions of this Act, personally appeared before him and was sworn thereto, or acknowledged the execution thereof or signed the same, when in fact such petitioner, affiant, or witness did not personally appear before him, or was not sworn thereto, or did not execute the same, or did not acknowledge the execution thereof, shall be punished by a fine not exceeding five thousand dollars, or by imprisonment not to exceed five years.

SEC. 23. That any person who knowingly procures naturalization in violation of the provisions of this Act shall be fined not more than five thousand dollars, or shall be imprisoned not more than five years, or both, and upon conviction the court in which such conviction is had shall thereupon adjudge and declare the final order admitting such

person to citizenship void. Jurisdiction is hereby conferred on the courts having jurisdiction of the trial of such offense to make such adjudication. Any person who knowingly aids, advises, or encourages any person not entitled thereto to apply for or to secure naturalization, or to file the preliminary papers declaring an intent to become a citizen of the United States, or who in any naturalization proceeding knowingly procures or gives false testimony as to any material fact, or who knowingly makes an affidavit false as to any material fact required to be proved in such proceeding, shall be fined not more than five thousand dollars, or imprisoned not more than five years or both.

SEC. 24. That no person shall be prosecuted, tried, or punished for any crime arising under the provisions of this Act unless the indictment is found or the information is filed within five years next after the commission of such crime.

SEC. 25. That for the purpose of the prosecution of all crimes and offenses against the naturalization laws of the United States which may have been committed prior to the date when this Act shall go into effect, the existing naturalization laws shall remain in full force and effect.

SEC. 26. That sections twenty-one hundred and sixty-five, twenty-one hundred and sixty-seven, twenty-one hundred and sixty-eight, twenty-one hundred and seventy-three, of the Revised Statutes of the United States of America, and section thirty-nine of chapter one thousand and twelve of the Statutes at Large of the United States of America for the year nineteen hundred and three, and all Acts or parts of Acts inconsistent with or repugnant to the provisions of this Act are hereby repealed.

SEC. 27. That substantially the following forms shall be used in the proceedings to which they relate:

DECLARATION OF INTENTION.

(Invalid for all purposes seven years after the date hereof.)

....., ss:  
I, ....., aged ..... years, occupation....., do declare on oath (affirm) that my personal description is: Color....., complexion ....., height ....., weight ....., color of hair....., color of eyes ....., other visible distinctive marks.....; I was born in ..... on the ..... day of ....., anno Domini .....; I now reside at .....; I emigrated to the United States of America from ..... on the vessel .....; my last foreign residence was ..... It is my bona fide intention to renounce forever all allegiance and

fidelity to any foreign prince, potentate, state, or sovereignty, and particularly to ..... of which I am now a citizen (subject); I arrived at the (port) of ..... in the State (Territory or District) of ..... on or about the ..... day of ..... anno Domini .....; I am not an anarchist; I am not a polygamist nor a believer in the practice of polygamy; and it is my intention in good faith to become a citizen of the United States of America and to permanently reside therein. So help me God.

(Original signature of declarant) .....

Subscribed and sworn to (affirmed) before me this ..... day of ...., anno Domini.....

[L. S.] .....

(Official character of attestor.)

PETITION FOR NATURALIZATION.

..... Court of .....

In the matter of the petition of ..... to be admitted as a citizen of the United States of America.

To the ..... Court:

The petition of ..... respectfully shows:

First. My full name is .....

Second. My place of residence is number ..... street,  
city of ..... State (Territory or District) of .....

Third. My occupation is .....

Fourth. I was born on the ..... day of ..... at .....

Fifth. I emigrated to the United States from ....., on or about the ..... day of ....., anno Domini ....., and arrived at the port of ....., in the United States, on the vessel .....

Sixth. I declared my intention to become a citizen of the United States on the ..... day of ..... at ....., in the ..... court of .....

Seventh. I am....married. My wife's name is ..... She was born in ..... and now resides at ..... I have ..... children, and the name, date, and place of birth and place of residence of each of said children is as follows: ..... ; ..... ; .....

Eighth. I am not a disbeliever in or opposed to organized government or a member of or affiliated with any organization or body of persons teaching disbelief in organized government. I am not a polygamist nor a believer in the practice of polygamy. I am attached to

the principles of the Constitution of the United States, and it is my intention to become a citizen of the United States and to renounce absolutely and forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, and particularly to . . . . . of which at this time I am a citizen (or subject), and it is my intention to reside permanently in the United States.

Ninth. I am able to speak the English language.

Tenth. I have resided continuously in the United States of America for a term of five years at least immediately preceding the date of this petition, to wit, since . . . . . anno Domini . . . . . , and in the State (Territory or District) of . . . . . for one year at least next preceding the date of this petition, to wit, since . . . . . day of . . . . . , anno Domini . . . . .

Eleventh. I have not heretofore made petition for citizenship to any court. (I made petition for citizenship to the . . . . . court of . . . . . at . . . . . , and the said petition was denied by the said court for the following reasons and causes, to wit, . . . . . . . . . , and the cause of such denial has since been cured or removed.)

Attached hereto and made a part of this petition are my declaration of intention to become a citizen of the United States and the certificate from the Department of Commerce and Labor required by law. Wherefore your petitioner prays that he may be admitted a citizen of the United States of America.

Dated . . . . .

(Signature of petitioner) . . . . .

. . . . . , ss:

. . . . . , being duly sworn, deposes and says that he is the petitioner in the above-entitled proceeding; that he has read the foregoing petition and knows the contents thereof; that the same is true of his own knowledge, except as to matters therein stated to be alleged upon information and belief, and that as to those matters he believes it to be true.

Subscribed and sworn to before me this . . . . . day of . . . . . , anno Domini . . . . .

[L. S.]

. . . . .

Clerk of the . . . . . Court.

**AFFIDAVIT OF WITNESSES.**

**Court of Appeals**

In the matter of the petition of . . . . . to be admitted a citizen  
of the United States of America.

, occupation . . . . ., residing at . . . . ., and . . . . .,  
, occupation . . . . ., residing at . . . . ., each being severally,  
duly, and respectively sworn, deposes and says that he is a citizen of  
the United States of America; that he has personally known . . . . .  
. . . . ., the above petitioner above mentioned, to be a resident of the  
United States for a period of at least five years continuously immediately  
preceding the date of filing his petition, and of the State (Territory or  
District) in which the above-entitled application is made for a period  
of . . . . . years immediately preceding the date of filing his petition;  
and that he has personal knowledge that the said petitioner is a person  
of good moral character, attached to the principles of the Constitution  
of the United States, and that he is in every way qualified, in his opin-  
ion, to be admitted as a citizen of the United States.

Subscribed and sworn to before me this ..... day of ....., nineteen hundred and .....

[L<sub>s</sub>, S<sub>s</sub>]

(Official character of attestor).

CERTIFICATE OF NATURALIZATION.

### Number

Petition, volume . . . . . , page . . . . .

Stub, volume ..... page .....

(Signature of holder) .....

(Signature of holder) .....

Description of holder: Age, .....; height, .....; color, .....;  
complexion, .....; color of eyes, .....; color of hair, .....; visible  
distinguishing marks, ..... Name, age, and place of residence  
of wife, ..... Names, ages, and places of residence  
of minor children, .....

....., ss.;

Be it remembered, that at a ..... term of the ..... court of ....., held at ..... on the ..... day of ....., in the year of our Lord nineteen hundred and ....., ....., who previous to his (her) naturalization was a citizen or subject of ....., at present residing at number .....

..... street, ..... city (town), ..... State (Territory or District), having applied to be admitted a citizen of the United States of America pursuant to law, and the court having found that the petitioner had resided continuously within the United States for at least five years and in this State for one year immediately preceding the date of the hearing of his (her) petition, and that said petitioner intends to reside permanently in the United States, had in all respects complied with the law in relation thereto, and that .. he was entitled to be so admitted, it was thereupon ordered by the said court that .. he be admitted as a citizen of the United States of America.

In testimony whereof the seal of said court is hereunto affixed on the .... day of ...., in the year of our Lord nineteen hundred and ...., and of our independence the .....

[L. S.]

.....,  
(Official character of attestor).

STUB OF CERTIFICATE OF NATURALIZATION.

No. of certificate, .....

Name .....; age, .....

Declaration of intention, volume ....., page .....

Petition, volume ....., page .....

Name, age, and place of residence of wife, ...., ...., .... Names, ages, and places of residence of minor children, ...., ...., ....,

.....  
Date of order, volume ....., page .....

(Signature of holder) .....

SEC. 28. That the Secretary of Commerce and Labor shall have power to make such rules and regulations as may be necessary for properly carrying into execution the various provisions of this Act. Certified copies of all papers, documents, certificates, and records required to be used, filed, recorded, or kept under any and all of the provisions of this Act shall be admitted in evidence equally with the originals in any and all proceedings under this Act and in all cases in which the originals thereof might be admissible as evidence.

SEC. 29. That for the purpose of carrying into effect the provisions of this Act there is hereby appropriated the sum of one hundred thousand dollars, out of any moneys in the Treasury of the United States not otherwise appropriated, which appropriation shall be in full for the objects hereby expressed until June thirtieth, nineteen hundred and

seven; and the provisions of section thirty-six hundred and seventy-nine of the Revised Statutes of the United States shall not be applicable in any way to this appropriation.

SEC. 30. That all the applicable provisions of the naturalization laws of the United States shall apply to and be held to authorize the admission to citizenship of all persons not citizens who owe permanent allegiance to the United States, and who may become residents of any State or organized Territory of the United States, with the following modifications: The applicant shall not be required to renounce allegiance to any foreign sovereignty; he shall make his declaration of intention to become a citizen of the United States at least two years prior to his admission; and residence within the jurisdiction of the United States, owing such permanent allegiance, shall be regarded as residence within the United States within the meaning of the five years' residence clause of the existing law.

SEC. 31. That this Act shall take effect and be in force from and after ninety days from the date of its passage: *Provided*, That sections one, two, twenty-eight, and twenty-nine shall go into effect from and after the passage of this Act.

Approved, June 29, 1903.

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*General Act of the International Conference of Algeciras, signed April 7, 1906.*

[TRANSLATION.]

"In the Name of Almighty God."

His Majesty the Emperor of Germany, King of Prussia, in the name of the German Empire; His Majesty the Emperor of Austria, King of Bohemia, etc., and Apostolic King of Hungary; His Majesty the King of the Belgians; His Majesty the King of Spain; the President of the United States of America; the President of the French Republic; His Majesty the King of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, Emperor of India, etc.; His Majesty the King of Italy; His Majesty the Sultan of Morocco; Her Majesty the Queen of the Netherlands; His Majesty the King of Portugal and of the Algarves, etc., etc., etc.; His Majesty the Emperor of All the Russias; His Majesty the King of Sweden:

Inspired by the interest attaching itself to the reign of order, peace, and prosperity in Morocco, and recognizing that the attainment thereof can only be effected by means of the introduction of reforms based upon the triple principle of the sovereignty and independence of His Majesty the Sultan, the integrity of his domains, and economic liberty without

any inequality, have resolved, upon the invitation of His Shereefian Majesty, to call together a conference at Algeciras for the purpose of arriving at an understanding upon the said reforms, as well as examining the means for obtaining the resources necessary for their application, and have appointed as their delegates plenipotentiary the following:

His Majesty the Emperor of Germany, King of Prussia, in the name of the German Empire:

Mr. Joseph de Radowitz, His Ambassador Extraordinary and Plenipotentiary to His Catholic Majesty, and

Christian, Count of Tattenbach, His Envoy Extraordinary and Minister Plenipotentiary to His Very Faithful Majesty.

His Majesty the Emperor of Austria, King of Bohemia, etc., and Apostolic King of Hungary:

Rudolph, Count of Welsersheimb, His Ambassador Extraordinary and Plenipotentiary to His Catholic Majesty, and

Leopold, Count Boesta-Koziebrodzki, His Envoy Extraordinary and Minister Plenipotentiary to Morocco.

His Majesty the King of the Belgians:

Maurice, Baron Joostens, His Envoy Extraordinary and Minister Plenipotentiary to His Catholic Majesty, and

Conrad, Count of Buisseret Steenbecque de Blarenghem, His Envoy Extraordinary and Minister Plenipotentiary to Morocco.

His Majesty the King of Spain:

Don Juan Manuel Sanchez y Gutiérrez de Castro, Duke of Almodóvar del Río, His Minister of State, and

Don Juan Pérez-Caballero y Ferrer, His Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians.

The President of the United States of America:

Mr. Henry White, Ambassador Extraordinary and Plenipotentiary of the United States of America to His Majesty the King of Italy, and

Mr. Samuel R. Gummeré, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Morocco.

The President of the French Republic:

Mr. Paul Révoil, Ambassador Extraordinary and Plenipotentiary of the French Republic to the Swiss Confederation, and

Mr. Eugène Regnault, Minister Plenipotentiary.

His Majesty the King of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, Emperor of India:

Sir Arthur Nicolson, His Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of All the Russias.

His Majesty the King of Italy:

Emile, Marquis Visconti Venosta, Knight of the Order of the Very Holy Annunciation, and

Mr. Giulio Malmusi, His Envoy Extraordinary and Minister Plenipotentiary to Morocco.

His Majesty the Sultan of Morocco:

El Hadj Mohammed Ben-el Arbi Ettorrés, His Delegate at Tangier and Ambassador Extraordinary,

El Hadj Mohammed Ben Abdesselam El Mokri, His Minister of Expenses,

El Hadj Mohammed Es-Seffar, and Sid Abderrhaman Bennis.

Her Majesty the Queen of the Netherlands:

Jonkheer Hannibal Testa, Her Envoy Extraordinary and Minister Plenipotentiary to His Catholic Majesty.

His Majesty the King of Portugal and of the Algarves, etc., etc., etc.:

Anthony, Count of Tovar, His Envoy Extraordinary and Minister Plenipotentiary to His Catholic Majesty, and

Francis Robert, Count of Martens Ferrao, Peer of the Kingdom, His Envoy Extraordinary and Minister Plenipotentiary to Morocco.

His Majesty the Emperor of All the Russias:

Arthur, Count Cassini, His Ambassador Extraordinary and Plenipotentiary to His Catholic Majesty, and

Mr. Basile de Bacheracht, His Minister to Morocco.

His Majesty the King of Sweden:

Mr. Robert Sager, His Envoy Extraordinary and Minister Plenipotentiary to His Catholic Majesty and His Very Faithful Majesty.

Who, furnished with full powers, which were found in good and due form have, in conformity with the programme upon which His Shereefian Majesty and the powers have agreed, successively discussed and adopted:

I. A declaration relative to the organization of the police.

II. A regulation concerning the detection and repression of the contraband of arms.

III. An act of concession for a Moroccan State Bank.

IV. A declaration concerning a better return of taxes, and the creation of new revenues.

V. A regulation concerning the customs of the Empire and the repression of fraud and smuggling.

VI. A declaration relative to public services and public works.

And having decided that these different documents might usefully be coordinated in a single instrument, they have united them in a general act composed of the following articles:

## CHAPTER I.

*Declaration relative to the organization of the police.*

ARTICLE 1. The conference summoned by His Majesty the Sultan to pronounce on the measures necessary to organize the police declares that the following provisions should be made:

ART. 2. The police shall be under the sovereign authority of His Majesty the Sultan. It shall be recruited by the Maghzen from Moorish Mohammedans, commanded by Moorish Kaids, and distributed in the eight ports open to commerce.

ART. 3. In order to aid the Sultan in the organization of this police, Spanish officers and noncommissioned officers as instructors, and French officers and noncommissioned officers as instructors, shall be placed at His disposal by their respective Governments, which shall submit their designation to the approval of His Shereefian Majesty. A contract drawn between the Maghzen and these instructors, in conformity to the regulation provided by article 4, shall determine the conditions of their engagement and fix their pay, which must not be less than double of the pay corresponding to the rank of each officer or noncommissioned officer. In addition they will be allowed living expenses, varying according to their residences. Proper lodgings will be placed at their disposal by the Maghzen, which will likewise supply them with their horses and the necessary fodder.

The Governments having jurisdiction over the instructors reserve the right to recall them and replace them by others, accepted and engaged under the same conditions.

ART. 4. These officers and noncommissioned officers for a period of five years, to date from the ratification of the act of the conference, shall give their service to the organization of a body of Shereefian police. They shall assure instruction and discipline in conformity with the regulations to be drawn up in respect thereto. They shall also see that the men enlisted are fit for military service. In a general way they shall supervise the administration of the soldiers and superintend the payment of their salary which shall be effected by the "Amin," assisted by the accounting officer instructor. They shall extend to the Moorish authorities invested with the command of these bodies their technical aid in the exercise of the said command.

The regulations to assure the recruital, discipline, instruction, and administration of the bodies of police shall be established by mutual agreement between the Shereefian Minister of War or his delegate, the

inspector provided by article 7, and the highest ranking French and Spanish instructors.

The regulations shall be submitted to the Diplomatic Body at Tangier, which will formulate its opinion within a month's time. After that period the regulations shall be enforced.

ART. 5. The total strength of the police shall not be more than 2,500 men, nor less than 2,000. It shall be distributed, according to the importance of the ports, in groups varying between 150 and 600 men. The number of Spanish and French officers shall be between sixteen and twenty; of Spanish and French noncommissioned officers, between thirty and forty.

ART. 6. The funds necessary to maintain and pay soldiers and officers and noncommissioned officer instructors shall be advanced by the State Bank to the Shereefian Treasury within the limits of the annual budget assigned to the police, which shall not exceed two million and a half pesetas for an effective strength of two thousand five hundred men.

ART. 7. During the same period of five years a general inspection shall be made into the working of the police. Such inspection shall be intrusted by His Shereefian Majesty to a superior officer of the Swiss army, who will be submitted to His approval by the Swiss Federal Government. This officer will be styled Inspector-General and reside at Tangier.

He shall inspect at least once a year the different bodies of the police, and after such inspection he shall draw up a report which he will address to the Maghzen.

In addition to such regular reports, he will, if he regards it as necessary, draw up special reports with reference to the working of the police.

Without directly intervening either in the command or the instruction, the Inspector-General will ascertain the results obtained by the Shereefian police, as regards the maintenance of order and security in the places where this police shall have been established.

ART. 8. A copy of the reports and communications made to the Maghzen by the Inspector-General, with reference to his mission, shall at the same time be transmitted to the Dean of the Diplomatic Body at Tangier, in order that the Diplomatic Body be enabled to satisfy itself that the Shereefian police acts in conformity to the decisions taken by the conference, and to see whether it guarantees effectively, and in conformity with the treaties, the security of person and property of foreign citizens, subjects, and protégés, as well as that of commercial transactions.

ART. 9. In the case of complaints filed with the Diplomatic Body by the legation concerned, the Diplomatic Body may, upon notice given to the representative of the Sultan, direct the Inspector-General to investigate and report for all available purposes in the matter of such complaints.

ART. 10. The Inspector-General shall receive an annual salary of 25,000 francs. In addition, he will be allowed 6,000 francs for the expenses of his tours. The Maghzen will place at his disposal a suitable residence and will look after the maintenance of his horses.

ART. 11. The material conditions of his engagement and of his establishment, as provided by article 10, shall be the subject of a contract drawn up between him and the Maghzen. A copy of this contract shall be communicated to the Diplomatic Body.

ART. 12. The staff of instructors of the Shereefian police (officers and noncommissioned officers) shall be Spanish at Tetuan, mixed at Tangier, Spanish at Larache, French at Rabat, mixed at Casablanca, and French in the other three ports.

#### CHAPTER II.

##### *Regulations concerning the detection and repression of the contraband of arms.*

ART. 13. Throughout the Shereefian Empire, except in the cases specified by articles 14 and 15, the importation and sale is forbidden of arms of war, parts of guns, ammunition of any nature, loaded or unloaded, powder, saltpeter, gun cotton, nitroglycerin, and all compositions destined exclusively for the manufacture of ammunition.

ART. 14. Such explosives as are necessary for industry and public works may, however, be introduced. A regulation drawn up in the manner indicated by article 18 shall determine the conditions under which their importation may be effected.

ART. 15. The arms, parts of guns, and ammunition intended for the troops of His Shereefian Majesty will be admitted after the fulfillment of the following formalities:

A declaration signed by the Moorish Minister of War, describing the number and nature of such articles ordered abroad, must be presented to the legation of the country of their origin, whose visa shall be affixed thereto.

The passage through the customs of the cases and packages containing the arms and munitions, delivered at the order of the Moorish Government, shall be effected upon the presentation:

1. Of the aforesaid declaration.
2. Of the invoice indicating the number and weight of the packages and the number and kind of the arms and munitions contained therein. This document must be visaed by the legation of the country of their origin, which will mark on the back the successive amounts previously passed through the customs. This visa will be refused when the order shall have been entirely delivered.

ART. 16. The importation of sporting and high-priced arms, parts of guns, cartridges loaded and unloaded, is likewise forbidden. It may none the less be authorized—

- 1°. For the strictly personal requirements of the importer;
- 2°. For supplying the gunshops authorized by article 18.

ART. 17. Sporting and high-priced arms and the ammunition for the same will be admitted for the strictly personal requirements of the importer on presentation of a permit issued by the representative of the Maghzen at Tangier. If the importer is a foreigner, this permit will only be granted at the request of his legation.

With respect to ammunition for sporting purposes, each permit shall allow a maximum of a thousand cartridges or the supplies necessary for the manufacture of a thousand cartridges. The permit shall only be issued to those who have never been sentenced for any offense.

ART. 18. The trade in sporting and high-priced arms, not rifled, of foreign manufacture, as well as of the ammunition appertaining to the same, shall be regulated, as soon as circumstances permit, by a Shereefian decision made in conformity with the advice of a majority of the Diplomatic Body at Tangier. This shall be the case, as well with decisions intended to suspend or restrict the exercise of such trade.

Only such persons as have secured a special and temporary license from the Moorish Government shall be allowed to open and operate retail shops for the sale of sporting guns and ammunition. This license shall only be given at the written request of the applicant, indorsed by his legation.

Regulations drawn up in the manner indicated by the first paragraph of this article shall determine the number of such retail shops which may be opened at Tangier and, if occasion arises, in the ports that may be later designated. They shall fix the formalities to be imposed on the importation of explosives intended for industry and public works, of arms and ammunition intended to supply such shops, as well as the maximum quantity of stock that can be kept.

In case of the violation of the regulating ordinances, the license may

be temporarily or permanently withdrawn without prejudice to other penalties incurred by the offenders.

ART. 19. Every introduction of, or attempt to introduce, the prohibited merchandise shall make it liable to confiscation, and further to the punishments and fines mentioned below, which shall be pronounced by the competent jurisdiction.

ART. 20. The introduction or attempt to introduce in a port open to commerce, or through a custom-house, shall be punished:

1°. By a fine of from 500 to 2,000 pesetas and an additional fine equal to three times the value of the imported merchandise;

2°. By imprisonment of from five days to a year, or else by only one of these two punishments.

ART. 21. The introduction or attempt to introduce outside a port open to commerce or a custom-house shall be punished:

1°. By a fine of from 1,000 to 5,000 pesetas and an additional fine equal to three times the value of the imported merchandise;

2°. By imprisonment of from three months to two years, or else by only one of these two punishments.

ART. 22. The fraudulent sale, the receiving and peddling, of merchandise prohibited by the present regulations shall be punished according to the penalties specified in article 20.

ART. 23. The accomplices in the offenses set forth in articles 20, 21, and 22 shall be liable to the same penalties as the principals. The elements determining complicity shall be adjudged according to the laws of the court in charge of the case.

ART. 24. When there is good reason to suppose that a vessel anchored in a port open to commerce carries guns, ammunition, or other prohibited merchandise, with a view of introducing the same into Morocco, the officers of the Shereefian customs shall so inform the competent consular authority, in order that the latter may carry out, in company with a delegate of the Shereefian customs, such investigations, verifications, or searches as may be judged necessary.

ART. 25. In the case of the introduction or the attempted introduction by sea of prohibited merchandise outside of a port open to commerce, the Moorish customs authorities may bring the vessel to the nearest port, to be turned over to the consular authority, who shall have the right to seize it and continue such seizure until payment of the fines decreed. The vessel may, however, be released at any period of the trial, provided that the judicial proceedings shall not be impeded thereby, on the deposit made with the consular authority of the

maximum of the fine, or else under responsible bail accepted by the customs.

ART. 26. The Maghzen may retain the confiscated merchandise either for its own use, if able to utilize it, on condition that the subjects of the Empire shall not be able to get possession of it, or it shall dispose of it abroad.

The conveyances of the same on shore may be confiscated and shall be sold for the profit of the Shereefian Treasury.

ART. 27. The sale of arms condemned by the Moorish Government shall be prohibited throughout the Shereefian Empire.

ART. 28. Rewards taken out of the amount of the fines levied are to be given to the informants who have been instrumental in discovering forbidden merchandise and to the agents who have effected its seizure. Such rewards shall be assigned after deducting, if necessary, the costs of the trial, one-third to be distributed by the customs among the informants, one-third to the officers who seized the merchandise, and one-third to the Moroccan Treasury.

If the seizure has been effected without the intervention of an informer one-half of the fines shall go to the officer making the seizure and the other half to the Shereefian Treasury.

ART. 29. The Moorish customs authorities shall notify directly the diplomatic or consular agents of any violations of this regulation, committed by those under their jurisdiction, in order that the same may be prosecuted before the proper jurisdiction.

Similar violations committed by Moorish subjects shall be submitted directly by the customs to the Shereefian authority.

A delegate of the customs shall be assigned to follow the procedure of cases pending before the different jurisdictions.

ART. 30. In the region bordering on Algeria, the enforcement of the regulations on the contraband of arms shall be the exclusive concern of France and Morocco.

Similarly, the enforcement of the regulation on the contraband of arms in the Riff and in general in the regions bordering on the Spanish possessions shall be the exclusive concern of Spain and Morocco.

### CHAPTER III.

#### *Act of concession for a State Bank.*

ART. 31. A bank shall be established in Morocco under the name of the "State Bank of Morocco," to exercise the following specified rights,

which are granted to it by His Majesty the Sultan for a period of forty years, to date from the ratification of this act.

ART. 32. The Bank, which will have power to carry on all transactions entering into the operations of a bank, shall have the exclusive privilege of issuing notes to bearer, payable on presentation and receivable for public dues throughout the Moorish Empire.

The Bank shall maintain for a period of two years, to date from its going into operation, cash on hand at least equal to half its notes in circulation, and equal to at least one-third after the expiration of said period of two years. At least one-third of such cash on hand is to be gold bullion or gold coin.

ART. 33. The Bank shall, to the exclusion of every other bank or establishment of credit, discharge the duty of disbursing treasurer of the Empire. To this end the Moorish Government shall take all necessary measures to deposit in the Bank proceeds of the customs revenues, exclusive of the part thereof applied to the loan of 1904, and such other revenues as it may designate.

With reference to the special tax established in order to carry out certain public works, the Moorish Government must have the same deposited in the Bank, as well as the revenues it may later pledge for its loans, the Bank being especially charged with the payments thereon, except, however, in the case of the loan of 1904, which is governed by special contract.

ART. 34. The Bank shall be the financial agent of the Government both within and without the Empire, without prejudice to the Government's right to apply to other banking houses or establishments of credit for its public loans. The Bank, however, shall enjoy, in regard to such loans, a right of preference, other conditions being equal, over any banking or credit establishment.

For Treasury notes or other short-term notes which the Moorish Government may wish to negotiate without making it a public issue, the Bank shall, however, be charged, to the exclusion of every other establishment, with negotiating the same for the account of the Moorish Government, either in Morocco or abroad.

ART. 35. The Bank shall make advances to the Moroccan Government on account current up to a million francs, chargeable against Treasury receipts.

The Bank shall likewise open a credit account for the Government for the period of ten years, to date from its establishment, such account not to exceed two-thirds of its initial capital.

This credit account shall be distributed over several years and employed primarily for the expenses of establishing and maintaining the bodies of police, organized in conformity to the decisions adopted by the conference, and secondarily for the expenses of such works of public interest as might not be charged to the special fund as provided for by the following article:

The maximum rate for these two advances will be 7 per cent, bank commission included, and the Bank may ask the Government to give as security an equal amount in Treasury notes.

If before the expiration of the said term of ten years the Moorish Government should contract a loan, the Bank would have the right to obtain the immediate reimbursement of its advances made in accordance with the second paragraph of the present article.

ART. 36. The proceeds of the special tax (articles 33 and 66) shall form a special fund for which the Bank shall keep a separate account. This fund shall be employed in conformity to the regulations adopted by the conference.

In the case of its insufficiency, and chargeable to later receipts, the Bank may open a special credit for such fund, the amount of which should not exceed the total of the receipts for the previous year.

The conditions of the rate and commission shall be the same as those established by the preceding article for advances to the Treasury on account current.

ART. 37. The Bank shall take such measures as it may deem conducive to a sounder monetary situation in Morocco. Spanish currency shall continue to be permitted to circulate as legal tender.

In consequence, the Bank shall have the exclusive charge of purchasing precious metals, of striking and melting coins, as well as of all its other monetary operations for the account and profit of the Moorish Government.

ART. 38. The home office of the Bank shall be at Tangier, but it shall establish branches and agencies in the principal cities of Morocco or in any other place it may deem expedient.

ART. 39. The land necessary for the establishment of the Bank, as well as its branches and agencies in Morocco, shall be placed gratuitously at its disposal by the Government, and at the expiration of the concession the Government shall retake possession of it and reimburse the Bank for the cost of building these establishments. The Bank shall further be authorized to purchase such houses and land as it may require for the same purpose.

ART. 40. The Shereefian Government shall insure and be responsible for the safety and protection of the Bank, its branches and agencies. To this end it shall place an adequate guard at the disposal of each establishment in every city.

ART. 41. The Bank, its branches and agencies, shall be exempt from all imposts or dues, ordinary or extraordinary, existing or to be created. The same exemption shall be extended to real estate devoted to its use, and to the certificates and coupons of its shares and to its notes. The importation and exportation of metals and coins intended for banking operations shall be authorized and exempted from every tax.

ART. 42. The Shereefian Government shall exercise its high supervision over the Bank by a High Commissioner, whom it shall appoint after a previous agreement with the Bank's Board of Directors.

This High Commissioner shall have the right to examine into the management of the Bank. He shall supervise the issuance of bank notes and shall see that the provisions of the concession are strictly observed.

The High Commissioner shall sign every note or affix thereto his seal. He shall be charged with the supervision of the relations between the Bank and the Imperial Treasury.

He shall take no part in the administration or transaction of the banking business, but he shall always have the right to attend the meetings of the Censors.

The Shereefian Government shall appoint one or two deputy commissioners, who shall be especially charged with the supervision of the financial transactions of the Treasury with the Bank.

ART. 43. A set of rules defining the relations of the Bank and of the Moorish Government shall be framed by the special committee provided for in article 57 and approved by the Censors.

ART. 44. The Bank, organized with the approval of the Government of His Shereefian Majesty in the form of a corporation, shall be governed by the French law relative thereto.

ART. 45. Actions instituted in Morocco by the Bank shall be brought before the Consular Court of the defendant or before the jurisdiction of Morocco, in accordance with the rules of competence established by the Shereefian treaties and firmans.

Actions instituted in Morocco against the Bank shall be brought before a special tribunal consisting of three consular magistrates and two associates. The Diplomatic Body shall, each year, arrange the list of magistrates, associates, and substitutes.

This tribunal shall apply to such cases the rules of law, procedure, and competence established by the French legislation in commercial

matters. Appeals from judgments pronounced by this tribunal shall be taken to the Federal Court of Lausanne, whose decision shall be final.

ART. 46. In case of dispute over the clauses of the concession or litigation arising between the Moorish Government and the Bank, the difference shall be referred, without appeal or recourse, to the Federal Court of Lausanne.

All disputes arising between the shareholders and the Bank in regard to the enforcement of the by-laws or by reason of the corporate business shall likewise be referred, without appeal or recourse, to the same court.

ART. 47. The by-laws of the Bank shall be framed on the following bases by a special committee provided for in article 57. They shall be approved by the Censors and ratified by the General Assembly of Shareholders.

ART. 48. The General Constituent Assembly of the corporation shall fix the place where the meetings of the shareholders and the sessions of the Board of Directors shall be held; the latter, however, shall have the faculty of meeting at any other city if it deems it expedient.

The office of the manager of the Bank shall be at Tangier.

ART. 49. The Bank shall be administered by a Board of Directors consisting of as many members as there are parts in the initial capital.

The Directors shall have the most extensive powers for the administration and management of the corporation; they shall especially appoint the managers, assistant managers, and members of the commission indicated in article 54, as well as the managers of branches and agencies.

The employees of the company shall be recruited so far as possible from among the citizens, subjects, or protégés of the several powers which have taken part in subscribing the capital.

ART. 50. The Directors, who shall be appointed by the General Assembly of Shareholders, shall be nominated by the groups subscribing the capital.

The first Board shall remain five years in office. At the expiration of this period, there shall be a renewal at the rate of three members annually. The order of outgoing Directors shall be determined by lot; they may be reelected.

On the constitution of the corporation, each subscribing group shall have the right to nominate as many directors as it shall have subscribed entire parts, but such groups shall not be compelled to select candidates of their own nationality.

The subscribing groups shall not retain their right of nominating directors when the latter are superseded or reelected, unless they can

prove that they still have in their possession at least one-half the share conferring that right upon them.

In a case where, by reason of these provisions, a subscribing group should be no longer in a position to nominate a director, the General Assembly of Shareholders shall make a direct nomination.

ART. 51. Each of the following institutions: the Bank of the German Empire, the Bank of England, the Bank of Spain, and the Bank of France, shall, with their Government's approval, appoint a Censor for the State Bank of Morocco.

The Censors shall remain in office four years. The outgoing Censors may be reappointed.

In the case of death or resignation the institution which had appointed the former incumbent shall fill the vacancy, but only for the unexpired term of the vacated office.

ART. 52. The Censors who shall exercise their mandate by virtue of this act of the Signatory Powers shall, in the interests of the latter, see that the Bank is efficiently operated and insure the strict observance of the clauses of the concession and of the statutes. They shall see that the regulations governing the issuance of notes are precisely fulfilled, and shall supervise the operations tending to put the monetary situation on a sound basis, but they shall never, under any pretext, interfere in the conduct of business or in the internal administration of the Bank.

Each of the Censors shall be empowered to examine at all times the Bank accounts, and to call for information either from the Board of Directors or the manager's office with regard to the management of the Bank, and attend the meetings of the Board of Directors, but only in an advisory capacity.

The four Censors shall meet at Tangier in the discharge of their duties at least once every two years, at a time to be fixed by them. Other meetings at Tangier or elsewhere may take place if three of the Censors should demand it.

The four Censors shall draw up in common accord an annual report, which shall be annexed to that of the Board of Directors. The Board of Directors shall transmit without delay a copy of such report to each of the Governments signatory to the act of the conference.

ART. 53. The Censors' emoluments and traveling expenses shall be fixed by the committee on by-laws. They shall be paid directly by the banks charged with their nomination, and the amount reimbursed to these institutions by the State Bank of Morocco.

ART. 54. To assist the manager's office a committee shall be established at Tangier, the members of which shall be chosen by the Board

of Directors, without distinction of nationality, from among the notables residing at Tangier and holding shares of the Bank.

This committee, which shall be presided over by one of the managers or assistant managers, shall give its advice on questions of discounts and opening of credit accounts.

It shall transmit a monthly report on these various subjects to the Board of Directors.

ART. 55. The capital, of which the amount shall be fixed by the special committee designated in article 57, shall be not less than fifteen million francs nor more than twenty million francs, and shall be of gold coin, and the shares thereof, of the value of five hundred francs each, shall be inscribed with the various gold coinages at a fixed rate of exchange, as determined by the by-laws.

The said capital may thereafter be increased at one or more times by a decision of the General Assembly of Shareholders.

The subscription to the increased capital shall be reserved for all shareholders, without distinction of groups, in proportion to their individual holdings.

ART. 56. The initial capital of the Bank shall be divided into as many equal parts as there are participants among the powers represented at the conference.

To this end, each power shall designate a bank which shall exercise either for itself or for a group of banks the above-specified right of subscription, as well as the right of nomination of the Directors, as provided in article 50. Any bank selected as head of a group may, with its Government's authorization, be superseded by another bank of the same country.

States wishing to avail themselves of their rights of subscription must notify such intention to the Royal Government of Spain within a period of four weeks from the signature of this act by the representatives of the powers.

Two parts, however, equal to those reserved to each of the subscribing groups, shall be assigned to the *consortium* of banks signatory of the contract of June 12, 1904, in compensation for the cession which shall be made by the *consortium* to the State Bank of Morocco:

- (1) Of the rights specified in article 33 of the contract;
- (2) Of the right inscribed in article 32 (paragraph 2) of the contract concerning the available balance of the customs receipts, with the express reservation of the general preferential right to the aggregate proceeds of customs granted to bondholders by article 11 of the same contract.

ART. 57. Within a period of three weeks from the time of closing the subscriptions, notified by the Royal Government of Spain to the powers interested, a special committee composed of delegates appointed by the subscribing groups, as provided in article 50 for the appointment of Directors, shall meet with a view to elaborating the by-laws of the Bank.

The General Constituent Assembly shall meet two months after the ratification of this act.

The functions of such special committee shall cease upon the organization of the corporation.

The special committee shall fix the place of its meetings.

ART. 58. No modification shall be made in the by-laws except on the motion of the Board of Directors and with the advice and consent of the Censors and the Imperial High Commissioner.

Such modifications must be voted by a three-quarters majority, either present or represented, of the General Assembly of Shareholders.

#### CHAPTER IV.

##### *A declaration concerning a better return of taxes and the creation of new revenues.*

ART. 59. As soon as the "tertib" shall have been put into regular operation with regard to Moorish subjects, the representatives of the powers at Tangier shall subject their citizens, subjects, and protégés in the Empire to the application thereof. But it is understood that this tax shall not be applied to foreign subjects except—

(a) Under the conditions stipulated by the regulation of the Diplomatic Body at Tangier on November 24, 1903;

(b) At places where it shall effectively be collected from Moorish subjects.

The consular authorities shall retain a certain percentage of the receipts of the taxes they collect from those subject to their jurisdiction to cover the cost of tax bills and collection.

The rate of such percentage shall be fixed by mutual agreement between the Maghzen and the Diplomatic Body at Tangier.

ART. 60. In accordance with the right granted by article 11 of the Madrid Convention, foreigners shall have the right to acquire property throughout the Shereefian Empire, and His Majesty the Sultan shall issue to his administrative and judicial officers such instructions as may be necessary for them not to refuse the registration of deeds without

lawful cause. Subsequent transfers, either by deeds between living parties or by death, shall continue without hindrance.

In the ports open to commerce and within a radius of ten kilometers around such ports, His Majesty the Sultan, generally and without it being necessary henceforth for foreign subjects to obtain a special permission for each purchase of property, now grants the consent required by article 11 of the Madrid Convention.

At Ksar el Kebir, Arzila, Azemour, and eventually in other towns of the coast or the interior, the general authorization stated above is likewise granted to foreigners, but only for purchasers within a radius of two kilometers around those towns.

Wherever foreigners may have acquired property they will be permitted to erect buildings in compliance with regulations and usage.

Before authorizing the execution of deeds for transferring property, the Cadi will have to satisfy himself of the validity of the title in conformity to the Mohammedan law.

The Maghzen shall designate in each city and district specified in this article the Cadi who shall have charge of such verification.

ART. 61. With a view to creating new resources for the Maghzen, the conference recognizes in principle that a tax may be established on city buildings.

A part of the receipts thus realized shall be set aside for the requirements of municipal streets and hygiene, and generally for the expense of improvement and conservation of the cities.

The tax is due from the Moorish or foreign owner, without distinction, but the tenant or the holder of the key shall be responsible to the Moorish Treasury.

Regulations issued jointly by the Shereefian Government and the Diplomatic Body at Tangier shall establish the rate, its method of collection and application, and shall determine the quota of revenue thus created which shall be devoted to the expense of improvement and conservation of the cities.

At Tangier this quota shall be turned over to the International Sanitary Council, which shall decide as to its use until the creation of a municipal organization.

ART. 62. His Shereefian Majesty having decided in 1901 that the Moorish officials who collect the agricultural taxes should no longer receive either the "sokhra" or the "mouna," the conference is of the opinion that this rule should be made general, so far as is possible.

ART. 63. The Shereefian delegates have stated that habou property, or certain State property, notably buildings of the Maghzen, occupied

at a rental of 6 per cent, are held by persons subject to foreign jurisdiction without regular title or by virtue of contracts subject to revision. The conference, desirous of remedying this state of affairs, charges the Diplomatic Body at Tangier to solve these two questions equitably, in accord with the special commissioner whom His Shereefian Majesty may be pleased to designate to that effect.

ART. 64. The conference takes formal note of the proposition formulated by the Shereefian delegates on the subject of taxes to be created on certain trades, industries, and professions.

If, as the result of the collection of such taxes from Moorish subjects the Diplomatic Body at Tangier should deem it advisable to extend the same to those under foreign jurisdiction, it is hereby specified that the said taxes shall be exclusively municipal.

ART. 65. The conference adheres to the proposition proposed by the Moorish delegation to create, with the assistance of the Diplomatic Body—

- (a) A stamp tax on contracts and notarial acts brought before "adouls."
- (b) A maximum transfer tax of 2 per cent on sales of real estate.
- (c) A statistical and weighing tax of a maximum of 1 per cent ad valorem on merchandise transported by coasting vessels.
- (d) A passport fee to be collected from Moorish subjects.
- (e) Eventually, wharfage and light-house dues, the proceeds of which shall be devoted to harbor improvement.

ART. 66. Merchandise of foreign origin shall temporarily be subject on entry into Morocco to special taxes amounting to 2½ per cent ad valorem. The whole proceeds of this special tax shall form a special fund, which shall be devoted to the execution of and expenses connected with public works for the development of navigation and the general trade of the Shereefian Empire.

The programme of works and their order of priority shall be determined jointly by the Shereefian Government and the Diplomatic Body at Tangier.

The surveys, estimates, plans, and specifications appertaining thereto shall be made by a competent engineer, appointed by the Shereefian Government jointly with the Diplomatic Body. This engineer may, if necessary, be assisted by one or more assistant engineers. Their salaries shall be charged to the special fund.

The special fund will be deposited with the State Bank of Morocco, which is to keep its accounts.

Public contracts shall be awarded in the form and under the general terms prescribed by the regulations that the Diplomatic Body at Tangier is charged to frame, together with the representative of His Shereefian Majesty.

The board of awards shall consist of one representative of the Shereefian Government, of five delegates of the Diplomatic Body, and of the engineer.

The award shall be given in favor of the bidder who, in conformity with the specifications, may submit the bid offering the most advantageous general terms.

As for the sums yielded by the special tax and collected at the customs-houses, in the districts specified in article 103 of the Customs Regulations, their expenditure will be determined upon by the Maghzen, with the consent of the neighboring power, in accordance with the clauses of this article.

ART. 67. The conference, without detriment to the observations offered upon this point, expresses the wish that the export duties on the following merchandise be reduced as follows:

	Per cent.
Chick-peas .....	20
Corn .....	20
Barley .....	50
Wheat .....	34

ART. 68. His Shereefian Majesty will consent to increase from six to ten thousand the number of head of cattle of the bovine species which each power shall have the right to export from Morocco. Such exportation may be effected through any custom-house. If by misfortune there should be a scarcity of cattle in any particular district His Shereefian Majesty shall have the right to temporarily forbid the exportation of cattle through the port or ports of that district. Such measure shall not exceed two years; nor shall it be applied at the same time to all the ports of the Empire.

It is further understood that the preceding provisions do not modify the other conditions for the exportation of cattle as fixed by previous firmans.

The conference expresses the additional wish that a veterinary inspection be organized as soon as possible at the seaports.

ART. 69. In accordance with the previous decisions of His Shereefian Majesty, and notably the decision of September 28th, 1901, the transportation is allowed by coasting vessels, between all ports of the Empire, of cereals, grains, vegetables, fruits, eggs, poultry, and in general of

merchandise and animals of every kind, of Moroccan origin or not; except horses, donkeys, and camels, for which a special permit from the Maghzen will be necessary. Such coasting trade may be carried on by vessels of every nationality without such articles being subjected to payment of the export duties, but subject to the special taxes and regulations relative thereto.

ART. 70. The rate of sojourn and anchorage dues levied on ships in Moorish ports being fixed by treaties with certain powers, the said powers are disposed to consent to a revision of such dues. The Diplomatic Body at Tangier is therefore charged to effect an agreement with the Maghzen on the terms of such revision, which can not, however, take place until after the improvement of the ports.

ART. 71. The customs storage dues shall be collected in all Moorish ports where there are adequate warehouses, in conformity to the regulations existing or to be adopted in regard thereto by the Government of His Shereefian Majesty in accord with the Diplomatic Body at Tangier.

ART. 72. Opium and kiff will continue to be a monopoly of the Shereefian Government. The importation of opium specially intended for medicinal purposes will, however, be allowed by special permit issued by the Maghzen at the request of the legation, the physician, or apothecary importing the same. The Shereefian Government and the Diplomatic Body shall jointly determine the maximum quantity which may be thus introduced.

ART. 73. The representatives of the powers take note of the Shereefian Government's intention to extend to tobacco of all kinds the monopoly existing in the case of snuff. They reserve the right of their citizens, subjects, and protégés to be duly indemnified for damages which the said monopoly may cause such of them as carry on a tobacco business established under the present system. In case no amicable agreement shall be reached, the damages shall be fixed by experts designated by the Maghzen and the Diplomatic Body, in conformity with the provisions governing expropriation for public purposes.

ART. 74. The principle of awarding contracts on bids without preference of nationality shall be applied to the farming of the monopoly of opium and kiff. The same rule would apply to the tobacco monopoly if created.

ART. 75. If the occasion should arise to modify any of the provisions of this declaration, the Maghzen and the Diplomatic Body at Tangier shall reach an understanding on this point.

ART. 76. In all the cases provided for by the present declaration where the Diplomatic Body shall be called upon to intervene, except in what concerns articles 64, 70, and 75, the decision shall be reached by a majority of the votes.

## CHAPTER V.

*A regulation concerning the customs of the Empire and the repression of fraud and smuggling.*

ART. 77. Every captain of a merchantman coming from a foreign or Moorish port shall, within twenty-four hours after having been granted free pratique in any of the ports of the Empire, deposit at the customs an exact copy of his manifest, signed by him and certified to by the vessel's consignee. He shall furthermore, if required to do so, produce before the customs authorities the original of his manifest.

The customs shall have power to station one or more watchmen on board to prevent illicit trade.

ART. 78. The following are exempt from depositing the manifest:

- 1°. Men-of-war or ships chartered for the account of a power.
- 2°. Boats belonging to private individuals for their personal use and never carrying any merchandise.
- 3°. Boats or craft used for shore fisheries.
- 4°. Yachts intended only as pleasure boats and registered as such at their home ports.
- 5°. Ships especially charged with laying down and repairing telegraphic cables.
- 6°. Boats exclusively used in life-saving service.
- 7°. Hospital ships.
- 8°. Training ships of the merchant marine not engaged in commercial operations.

ART. 79. The manifest deposited at the customs shall state the nature and origin of the cargo, with the marks and numbers of the cases, bales, bundles, casks, etc.

ART. 80. If there is serious reason to suspect the accuracy of the manifest, or in case the captain of the ship should refuse to allow the visit and verifications of customs officers, the case shall be brought to the attention of the proper consular authority, in order that the latter, in company with a delegate of the Shereefian customs, shall undertake the investigations, visits, and verifications that he may judge necessary.

ART. 81. If after twenty-four hours, as stated in article 77, the cap-

tain has not deposited his manifest, he shall incur, unless the delay be a case of *vis major*, a fine of 150 pesetas for each day's delay; provided, however, that the fine shall not exceed 600 pesetas. If the captain has fraudulently presented an inaccurate or incomplete manifest, he shall be personally condemned to pay a sum equal to the value of the merchandise for which he has failed to produce the manifest, and a fine of from 500 to 1,000 pesetas, and the vessel and merchandise shall be further liable to seizure by consular authority as security for such fine.

ART. 82. Any person about to pass through the customs merchandise imported or intended for exportation shall file in the custom-house a detailed statement setting forth the nature, quality, weight, number, measurement, and value of the merchandise, as well as the nature, marks, and numbers of the packages containing the same.

ART. 83. If there should be found at the time of the visit fewer packages or less merchandise than declared, the declarant, unless able to prove that he has acted in good faith, shall pay double duties for the missing merchandise, and the merchandise presented shall be retained in the customs as security for such double duty. If on the contrary, there should be found at the time of the visit an excess of packages, or quantity, or weight of the merchandise, this excess shall be seized and confiscated for the benefit of the Maghzen, unless the person making the declaration can prove his good faith.

ART. 84. If the declaration should be found inaccurate as to kind or quality, and the declarant is unable to prove his good faith, the merchandise wrongly declared shall be seized and confiscated by the proper authority for the benefit of the Maghzen.

ART. 85. If the declaration should be found inaccurate as to the declared value, and the declarant should be unable to prove his good faith, the customs may either levy the duty in kind, then and there, or, if the merchandise is indivisible, take the said merchandise by at once paying to the declarant its declared value, plus 5 per cent.

ART. 86. If the declaration should be found false as to the nature of the merchandise the latter shall be considered as not having been declared, and the offense shall fall under articles 88 and 90 hereinbelow, and shall be punished by the penalties provided for in the said articles.

ART. 87. The smuggling, flagrant or attempted, in or out of the country, by land or by sea, of merchandise subject to duty shall be punishable by confiscation of the merchandise, without prejudice to the penalties and fines hereinbelow, which shall be imposed by the proper jurisdiction.

In addition, the conveyances on shore shall be seized and confiscated when smuggled goods form the greater part of the load.

ART. 88. The smuggling, flagrant or attempted, in or out of the country, through a port open to commerce or through a custom-house, shall be punished by a fine not to exceed triple the value of the merchandise so smuggled and by imprisonment of from five days to six months, or by only one of these penalties.

ART. 89. The smuggling, flagrant or attempted, in or out of the country, outside of a port open to commerce or of a custom-house, shall be punished by a fine of from 300 to 500 pesetas, and by an additional fine equal to three times the value of the merchandise, or by imprisonment of from a month to a year.

ART. 90. The accomplices in offenses as provided by articles 88 and 89 shall be liable to the same penalties as the principals. The elements constituting complicity shall be adjudged according to the law of the tribunal in charge of the case.

ART. 91. In the case of smuggling, flagrant or attempted, in or out of the country, by a vessel outside of a port open to commerce, the Moorish customs shall have the right to take such vessel to the nearest port, to be turned over to the consular authority, and the said authority may seize and detain the vessel until it shall have paid the amount of the penalties imposed.

The vessel shall be released at any stage of the action, in so far as the preliminary judicial proceedings are not impeded thereby, upon deposit made with the consular authority of the maximum of the fine, or else under responsible bail accepted by the customs.

ART. 92. The provisions of the preceding articles are also applicable to coasting vessels.

ART. 93. Such merchandise as is not subject to an export duty, shipped in a Moorish port to be transported by sea to some other port in the Empire, shall be accompanied by a certificate issued by the customs, under penalty of being subjected to the payment of import duties, and even of being confiscated, if not entered in the manifest.

ART. 94. The transportation by coasting vessels of products subject to export duties can only be effected by depositing at the custom-house of the port of departure the amount of export duties on such merchandise and taking receipt therefor.

This money shall be returned to the depositor by the custom-house where it was deposited, on production of a declaration on which the customs certify the arrival of such merchandise and of the receipt for the deposit of the amount of the duties. The documents proving the

arrival of the merchandise shall be produced within three months from the time of shipment. After this term, unless the delay be a case of *vis major*, the amount deposited shall become the property of the Maghzen.

ART. 95. The import and export duties shall be paid cash at the custom-house where liquidation has been made. The ad valorem duties shall be liquidated according to the cash wholesale value of the merchandise delivered in the custom-house and free from customs duties and storage dues. Damages to the merchandise, if any, shall be taken into account in appraising the depreciation thereby caused. Merchandise can only be removed after the payment of customs duties and storage.

The holding of the goods or the collection of duty shall, in every case, be made the subject of a regular receipt delivered by the officer in charge.

ART. 96. The value of the chief articles of merchandise dutiable in the Moorish customs is to be appraised every year under the conditions specified in the foregoing article by a committee on customs valuations meeting at Tangier, and consisting of—

- 1°. Three members appointed by the Moorish Government.
- 2°. Three members appointed by the Diplomatic Body at Tangier.
- 3°. One delegate of the State Bank.
- 4°. One agent of the delegation of the 5 per cent Moroccan loan of 1904.

This committee shall appoint from twelve to twenty honorary members resident in Morocco, whom it shall consult when called upon to determine the value, and whenever it may see fit. These honorary members shall be selected from the lists of notables drawn up in the case of foreign subjects by each legation, and in the case of Moors by the Sultan's representative. They shall be appointed as far as possible in proportion to the importance of the commerce of each nation.

The committee shall be appointed for the term of three years.

The schedule of values fixed by it shall serve as a basis for the appraisals which the administration of Moorish customs shall make in every custom-house. It shall be posted at all custom-houses and in the chanceries of the legations and consulates at Tangier.

The schedule may be revised at the end of six months in case of considerable changes in the values of certain articles.

ART. 97. A permanent committee, to be known as the "Committee of Customs," shall be organized at Tangier and appointed for a term of three years. It shall consist of a special commissioner of His Shereefian Majesty, of a member of the diplomatic or consular body appointed by the Diplomatic Body at Tangier, and of a delegate from the State Bank.

It shall be empowered to add to its members, in an advisory capacity, one or more representatives of the customs service.

This committee shall exercise its high supervision over the customs service, and shall have the right to propose to His Shereefian Majesty such measures as are likely to effect improvement in the service and assure the regularity and supervision of operations and collections (landing, shipping, land transportation, handling, the incoming and outgoing of merchandise, storage, appraisal, liquidation and collection of duties.) The creation of such a Committee of Customs shall in no way infringe the rights stipulated in favor of the bondholders by articles 15 and 16 in the loan contract of June 12th, 1904.

Instructions to be drawn up by the Committee of Customs and the services interested therein shall determine the details of the enforcement of article 96 and of the present article. They shall be submitted to the advice and consent of the Diplomatic Body.

ART. 98. In custom-houses where sufficient warehouses exist the customs service shall take charge of the disembarked merchandise as soon as it is turned over by the captain of the vessel to the officers in charge of the lighterage, who shall receipt therefor, and until such time as it shall have been regularly cleared from the customs. The customs service is responsible for injuries caused by loss of or damage to merchandise which may be imputed to the fault or negligence of its officers. It is not responsible for damages resulting either from the natural decay of merchandise, or from too lengthy a storage in the warehouse, or from cases of *vis major*.

In custom-houses where there are not sufficient warehouses the agents of the Maghzen are required only to employ such means of preservation as may be at the disposal of the custom-house.

A revision of the storage regulations now in force shall be made under the direction of the Diplomatic Body, whose decisions shall be taken by a majority vote, in concert with the Shereefian Government.

ART. 99. Confiscated merchandise and conveyances shall be sold under direction of the customs service within eight days from the date of final judgment rendered by the competent tribunal.

ART. 100. The net proceeds of the sale of confiscated merchandise and articles become the final property of the State; as to pecuniary fines and compromises thereof, the amount, after deduction of costs of all kinds, shall be divided between the Shereefian Treasury and those who have participated in the repression of fraud or smuggling:

One-third to be distributed by the customs among the informants,  
One-third to the officers who have seized the goods,

One-third to the Moorish Treasury.

If the seizure has been made without the intervention of an informant, one-half the fine shall be awarded to the officers making the seizure and the other half to the Moorish Treasury.

ART. 101. The Moorish customs authorities shall directly inform the diplomatic or consular agents of any violations of this regulation which may have been committed by those under their jurisdiction, in order that they may be prosecuted before the competent court.

Similar violations by Moorish subjects shall be brought directly by the customs before the Shereefian authority.

A delegate of the customs shall be charged to follow the legal proceedings in cases pending before the several jurisdictions.

ART. 102. Every confiscation, fine, or penalty must be imposed on foreigners by consular jurisdiction, and on Moorish subjects by Shereefian jurisdiction.

ART. 103. In the region bordering on Algeria the enforcement of these regulations shall be the exclusive concern of France and Morocco.

The enforcement of these regulations in the Riff and in general in the regions bordering on the Spanish possessions shall likewise be the exclusive concern of Spain and Morocco.

ART. 104. The provisions of the present regulations, other than those relating to penalties, may be revised by unanimous decision of the Diplomatic Body at Tangier and in accord with the Maghzen, at the expiration of a term of two years from the date of their taking effect.

#### CHAPTER VI.

##### *A declaration relative to public services and public works.*

ART. 105. With a view to assuring the application of the principle of economic liberty without any inequality, the Signatory Powers declare that none of the public services in the Shereefian Empire can be alienated for the advantage of private interests.

ART. 106. In case the Shereefian Government should invoke the aid of foreign capital or foreign industry for the working of public services or for the operation of public works, roads, railways, ports, telegraphs, and other public works, the Signatory Powers reserve to themselves the right to see to it that the authority of the State over these great enterprises of general interest remains entire.

ART. 107. The validity of the concessions which may be made under the terms of article 106, as well as for Government supplies, shall, throughout the Shereefian Empire, be subordinated to the principle of

public awards on proposals, without preference of nationality, whenever applicable under the rules followed in foreign laws.

ART. 108. As soon as the Shereefian Government shall have decided to invite proposals for execution of public works, it shall so inform the Diplomatic Body. It shall later communicate to it the plans, specifications, and all documents annexed to the call for proposals, in order to enable the nationals of all the Signatory Powers to form a clear idea of the contemplated works and compete for the same. A sufficient term for this shall be specified in the call for proposals.

ART. 109. The specifications shall not contain, either directly or indirectly, any condition or provision which may be prejudicial to free competition, and which may give advantage to competitors of one nationality over those of another nationality.

ART. 110. The contracts shall be awarded in the form and according to the general conditions prescribed by the regulations which the Shereefian Government shall draw up with the assistance of the Diplomatic Body.

The contracts shall be awarded by the Shereefian Government to the bidder who, while conforming himself to the specifications, shall have submitted the bid fulfilling the most advantageous general conditions.

ART. 111. The rules of articles 106 to 110 shall be applied to concessions for working cork forests, in accordance with the customary provisions in foreign laws.

ART. 112. The Shereefian firman shall determine the conditions of the concessions and the working of mines and quarries. In the composition of this firman the Shereefian Government shall be guided by foreign laws relating to such matters.

ART. 113. If in the cases mentioned in articles 106 to 112 it should become necessary to occupy certain property, its expropriation may be effected by previous payment of a fair indemnity, in conformity to the following rules:

ART. 114. Expropriation can only be effected on the ground of public utility and when necessity for the same shall have been ascertained by any administrative investigation, the formalities of which shall be determined by Shereefian regulations drawn up with the assistance of the Diplomatic Body.

ART. 115. If the property holders are Moorish subjects, His Shereefian Majesty shall take the necessary measures, that no hindrance shall impede the execution of works that he shall have declared to be of public utility.

ART. 116. If the owners are foreigners the method of expropriation shall be as follows:

In case of disagreement between the competent administration and the owner of the property to be expropriated, the indemnity shall be fixed by a special jury, or, if the occasion arises, by arbitration.

ART. 117. This jury shall be composed of six expert appraisers, three to be selected by the owner, three by the administration desiring to expropriate. A majority vote shall rule.

If there be no majority, the owner and the administration shall each appoint an arbitrator, and the two arbitrators shall name an umpire.

In case no agreement can be reached in selecting an umpire he shall be appointed by the Diplomatic Body at Tangier.

ART. 118. The arbitrators shall be selected from a list drawn up at the beginning of each year by the Diplomatic Body, and they shall be selected, as far as possible, from experts not living within the district in which the work is to be carried out.

ART. 119. The owner may appeal from the arbitrators' decision to a competent jurisdiction, and in accordance with the rules set for arbitration cases by the law of the country to which he belongs.

#### CHAPTER VII.

##### *General provisions.*

ART. 120. With a view to harmonizing its legislation, if the occasion arises, with the engagements contracted under the present General Act, each of the Signatory Powers engages to take the necessary steps leading to the enactment of such legislation as may be necessary so far as it is concerned.

ART. 121. The present General Act shall be ratified according to the constitutional laws of each state. The ratifications shall be deposited at Madrid as soon as practicable, and at the latest by December thirty-first, one thousand nine hundred and six.

A procès verbal shall be made of such deposit and a certified copy sent to each of the Signatory Powers through the diplomatic channel.

ART. 122. The present General Act shall enter into effect as soon as all the ratifications shall have been deposited, and at the latest on December thirty-first, one thousand nine hundred and six.

In case the special legislative measures which may be necessary in certain countries to insure the application to their nationals living in Morocco of certain stipulations of this present General Act shall not have been enacted by the date fixed for ratification, these stipulations shall

only become applicable in respect to them after the legislative measures above referred to shall have been promulgated.

ART. 123 and last. All treaties, conventions, and arrangements of the Signatory Powers with Morocco remain in force. It is understood, however, that in case of conflict between their provisions and those of the present General Act, the stipulations of the latter shall prevail.

In faith whereof the Delegates Plenipotentiary have signed the present General Act and have affixed their seals thereto.

Done at Algeciras this seventh day of April, one thousand nine hundred and six, in a single copy, which shall remain deposited in the archives of the Government of His Catholic Majesty, and of which certified copies shall be transmitted through the diplomatic channel to the Signatory Powers.

For Germany:

[L. S.] JOSEPH DE RADOWITZ

[L. S.] TATTENBACH

For Austria-Hungary:

[L. S.] WELSERSHEIMB

[L. S.] BOLESTA-KOZIEBRODZKI

For Belgium:

[L. S.] JOOSTENS

[L. S.] COMTE CONRAD DE BUISERET

For Spain:

[L. S.] EL DUQUE DE ALMODÓVAR DEL RÍO

[L. S.] J. PÉREZ-CABALLERO

For the United States of America, with reservation of the declaration made in the plenary session of the conference on April 7, 1906:

[L. S.] HENRY WHITE

[L. S.] SAMUEL R. GUMMERÉ

For France:

[L. S.] RÉVOIL

[L. S.] REGNAULT

For Great Britain:

[L. S.] A. NICOLSON

For Italy:

[L. S.] VISCONTI VENOSTA

[L. S.] G. MALMUSI

For Morocco:

For the Netherlands:

[L. S.] H. TESTA

## For Portugal:

[L. S.] CONDE DE TOVAR  
[L. S.] CONDE DE MARTENS FERRAO

## For Russia:

[L. S.] CASSINI  
[L. S.] BASILE DE BACHERACHT

## For Sweden:

[L. S.] ROBERT SAGER

## ADDITIONAL PROTOCOL.

On the point of signing the General Act of the Conference of Algeciras, the delegates of Germany, Austria-Hungary, Belgium, Spain, the United States of America, France, Great Britain, Italy, the Netherlands, Portugal, Russia and Sweden.

Taking into account the declaration of the delegates of Morocco that they were not, for the present, in position to affix their signatures thereto, they being unable, owing to the distance, to receive an early reply from His Shereefian Majesty concerning the points in regard to which they deemed it their duty to refer to Him,

Reciprocally engage, by virtue of their respective full powers, to unite their efforts towards the ratification of the said General Act in its entirety by His Shereefian Majesty and towards the simultaneous enforcement of the reforms therein provided which are interdependent.

They therefore agree to charge His Excellency Mr. Malmusi, Minister of Italy to Morocco and Dean of the Diplomatic Corps at Tangier, to take the necessary steps to that end by calling the attention of His Majesty the Sultan to the great advantages that His Empire would derive from the stipulations adopted at the conference by the unanimous action of the Signatory Powers.

The adhesion given by His Shereefian Majesty to the General Act of the Conference of Algeciras shall be communicated through the Government of His Catholic Majesty to the Governments of the other Signatory Powers. This adhesion shall have the same force as if the delegates of Morocco had affixed their signatures to the General Act and will take the place of ratification by His Shereefian Majesty.

In witness whereof, the delegates of Germany, Austria-Hungary, Belgium, Spain, the United States of America, France, Great Britain, Italy, the Netherlands, Portugal, Russia, and Sweden have signed the present additional protocol and affixed their seals thereto.

Done at Algeciras on the seventh day of April, one thousand nine hundred and six, in a single copy, which shall remain filed in the archives of the Government of His Catholic Majesty, and of which certified copies shall be delivered to the Signatory Powers through the diplomatic channel.

For Germany:

[L. S.] JOSEPH DE RADOWITZ  
[L. S.] TATTENBACH

For Austria-Hungary:

[L. S.] WELSERSHEIMB  
[L. S.] BOLESTA-KOZIEBRODZKI

For Belgium:

[L. S.] JOOSTENS  
[L. S.] COMTE CONRAD DE BUISERET

For Spain:

[L. S.] EL DUQUE DE ALMODÓVAR DEL RÍO  
[L. S.] J. PÉREZ-CABALLERO

For the United States of America, with reservation of the declaration made in the plenary session of the conference on April 7, 1906:

[L. S.] HENRY WHITE  
[L. S.] SAMUEL R. GUMMERÉ

For France:

[L. S.] RÉVOIL  
[L. S.] REGNAULT

For Great Britain:

[L. S.] A. NICOLSON

For Italy:

[L. S.] VISCONTI VENOSTA  
[L. S.] G. MALMUSI

For Morocco:

For the Netherlands:

[L. S.] H. TESTA

For Portugal:

[L. S.] CONDE DE TOVAR  
[L. S.] CONDE DE MARTENS FERRAO

For Russia:

[L. S.] CASSINI  
[L. S.] BASILE DE BACHERACHT

For Sweden:

[L. S.] ROBERT SAGER

Translation of the Reservation Made in French, at the Session of April 7, by Ambassador White, and Mentioned over the Signatures of the American Delegates to the General Act and Additional Protocol.

The Government of the United States, having no political interest in Morocco and no desire or purpose having animated it to take part in this conference other than to secure for all peoples the widest equality of trade and privilege with Morocco and to facilitate the institution of reforms in that country tending to insure complete cordiality of intercourse without and stability of administration within for the common good, declares that, in acquiescing in the regulations and declarations of the conference, in becoming a signatory to the General Act of Algeciras and to the additional protocol, subject to ratification according to constitutional procedure, and in accepting the application of those regulations and declarations to American citizens and interests in Morocco, it does so without assuming obligation or responsibility for the enforcement thereof.

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*Convention between the United Kingdom and China respecting Tibet,  
signed April 27, 1906.<sup>1</sup>*

WHEREAS, His Majesty the King of Great Britain and Ireland and of the British Dominions Beyond the Seas, Emperor of India, and His Majesty the Emperor of China are sincerely desirous to maintain and perpetuate the relations of friendship and good understanding which now exist between their respective Empires;

AND WHEREAS, the refusal of Tibet to recognize the validity of or to carry into full effect the provisions of the Anglo-Chinese Convention of March 17, 1890, and Regulations of December 5th, 1893, placed the British Government under the necessity of taking steps to secure their rights and interests under the said Convention and Regulations;

AND WHEREAS, a Convention of ten Articles was signed at Lhasa on September 7th, 1904 on behalf of Great Britain and Tibet, and was ratified by the Viceroy and Governor-General of India on behalf of Great Britain on November 11th, 1904, a declaration on behalf of Great Britain modifying its terms under certain conditions being appended thereto;

His Britannic Majesty and His Majesty the Emperor of China have resolved to conclude a Convention on this subject and have for this purpose named Plenipotentiaries, that is to say:

His Majesty the King of Great Britain and Ireland:

Sir Ernest Mason Satow, Knight Grand Cross of the Most Dis-

<sup>1</sup>Parliamentary Papers: Treaty Series, 1906.

tinguished Order of Saint Michael and Saint George, His said Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of China; and His Majesty the Emperor of China:

His Excellency Tong Shoa-yi, His said Majesty's High Commissioner Plenipotentiary and a Vice-President of the Board of Foreign Affairs;

who having communicated to each other their respective full powers and finding them to be in good and true form have agreed upon and concluded the following Convention in six articles:

ARTICLE I. The Convention concluded on September 7th, 1904, by Great Britain and Tibet, the texts of which in English and Chinese are attached to the present Convention as an annex, is hereby confirmed, subject to the modification stated in the declaration appended thereto, and both of the High Contracting Parties engage to take at all times such steps as may be necessary to secure the due fulfilment of the terms specified therein.

ART. II. The Government of Great Britain engages not to annex Tibetan territory or to interfere in the administration of Tibet. The Government of China also undertakes not to permit any other foreign State to interfere with the territory or internal administration of Tibet.

ART. III. The concessions which are mentioned in Article 9 (d) of the Convention concluded on September 7th 1904, by Great Britain and Tibet are denied to any state or to the subject of any state other than China, but it has been arranged with China that at the trade marts specified in Article 2 of the aforesaid Convention, Great Britain shall be entitled to lay down telegraph lines connecting with India.

ART. IV. The provisions of the Anglo-Chinese Convention of 1890 and Regulations of 1893 shall, subject to the terms of this present Convention and annex thereto, remain in full force.

ART. V. The English and Chinese texts of the present Convention have been carefully compared and found to correspond but in the event of there being any difference of meaning between them the English text shall be authoritative.

ART. VI. This Convention shall be ratified by the Sovereigns of both countries and ratifications shall be exchanged at London within three months after the date of signature by the Plenipotentiaries of both Powers.

In token whereof the respective Plenipotentiaries have signed and sealed this Convention, four copies in English and four in Chinese.

Done at Peking, this twenty-seventh day of April, one thousand nine

hundred and six, being the fourth day of the fourth month of the thirty-second year of the reign of Kuang-hsü.

[L. S.] ERNEST SATOW.  
(Signature and Seal of the Chinese Plenipotentiary.)

*Convention between the Governments of Great Britain and Tibet, signed  
September 7, 1904.<sup>1</sup>*

(Signed also in Chinese.)

WHEREAS, doubts and difficulties have arisen as to the meaning and validity of the Anglo-Chinese Convention of 1890, and the Trade Regulations of 1893, and as to liabilities of the Tibetan Government under these agreements; and whereas recent occurrences have tended towards a disturbance of the relations of friendship and good understanding which have existed between the British Government and the Government of Tibet; and whereas, it is desirable to restore peace and amicable relations, and to resolve and determine the doubts and difficulties as aforesaid, the said Governments have resolved to conclude a Convention with these objects, and the following articles have been agreed upon by Colonel F. E. Younghusband, C. I. E., in virtue of full powers vested in him by His Britannic Majesty's Government and on behalf of that said Government, and Lo-sang Gyal-Tsen, the Ga-den Ti-Rimpoche, and the representatives of the Council, of the three monasteries Se-ra, Dre-pung and Ga-den, and of the ecclesiastical and lay officials of the National Assembly on behalf of the Government of Tibet.

I. The Government of Tibet engages to respect the Anglo-Chinese Convention of 1890 and to recognize the frontier between Sikkim and Tibet, as defined in Article I of the said Convention, and to erect boundary pillars accordingly.

II. The Tibetan Government undertakes to open forthwith trade marts to which all British and Tibetan subjects shall have free right of access at Gyantse and Gartok, as well as at Yatung.

The regulations applicable to the trade mart at Yatung, under the Anglo-Chinese Agreement of 1893, shall, subject to such amendments as may hereafter be agreed upon by common consent between the British and Tibetan Governments, apply to the marts above mentioned.

In addition to establishing trade marts at the places mentioned, the Tibetan Government undertakes to place no restrictions on the trade by existing routes, and to consider the question of establishing fresh trade marts under similar conditions if development of trade requires it.

III. The question of the amendment of the Regulations of 1893 is

<sup>1</sup> Parliamentary Papers: Treaty Series, 1906.

reserved for separate consideration, and the Tibetan Government undertakes to appoint fully authorized delegates to negotiate with Representatives of the British Government as to the details of the amendments required.

IV. The Tibetan Government undertakes to levy no dues of any kind other than those provided for in the tariff to be mutually agreed upon.

V. The Tibetan Government undertakes to keep the roads to Gyantse and Gartok from the frontier clear of all obstruction and in a state of repair suited to the needs of the trade, and to establish at Yatung, Gyantse, and Gartok, and at each of the other trade marts that may hereafter be established, a Tibetan Agent who shall receive from the British Agent appointed to watch over British Trade at the marts in question any letter which the latter may desire to send to the Tibetan or to the Chinese authorities. The Tibetan Agent shall also be responsible for the due delivery of such communications and for the transmission of replies.

VI. As an indemnity to the British Government for the expense incurred in the despatch of armed troops to Lhasa, to exact reparation for breaches of treaty obligations, and for the insults offered to and attacks upon the British Commissioner and his following and escort, the Tibetan Government engages to pay a sum of pounds five hundred thousand—equivalent to rupees seventy-five lakhs—to the British Government.

The indemnity shall be payable at such place as the British Government may from time to time, after due notice, indicate whether in Tibet or in the British districts of Darjeeling or Jalpaiguri, in seventy-five annual instalments of rupees one lakh each on the 1st January in each year, beginning from the 1st January, 1906.

VII. As security for the payment of the above-mentioned indemnity, and for the fulfilment of the provisions relative to trade marts specified in Articles II, III, IV and V, the British Government shall continue to occupy the Chumbi valley until the indemnity has been paid and until the trade marts have been effectively opened for three years, whichever date may be the later.

VIII. The Tibetan Government agrees to raze all forts and fortifications and remove all armaments which might impede the course of free communication between the British frontier and the towns of Gynatse and Lhasa.

IX. The Government of Tibet engages that, without the previous consent of the British Government:

- (a) no portion of Tibetan territory shall be ceded, sold, leased, mortgaged or otherwise given for occupation, to any Foreign Power;
- (b) no such Power shall be permitted to intervene in Tibetan affairs;
- (c) no Representatives or Agents of any Foreign Power shall be admitted to Tibet;
- (d) no concessions for railways, roads, telegraphs, mining or other rights, shall be granted to any Foreign Power, or to the subject of any Foreign Power. In the event of consent to such concessions being granted, similar or equivalent concessions shall be granted to the British Government;
- (e) no Tibetan revenues, whether in kind or in cash, shall be pledged or assigned to any Foreign Power, or to the subject of any Foreign Power.

X. In witness whereof the negotiators have signed the same, and affixed thereunto the seals of their arms.

Done in quintuplicate at Lhasa, this seventh day of September in the year of our Lord one thousand nine hundred and four, corresponding with the Tibetan date, the twenty-seventh day of the seventh month of the Wood Dragon year.

F. E. YOUNGHUSBAND, Col.,  
*British Commissioner.*

TIBET FRONTIER COMMISSION.

SEAL OF BRITISH COMMISSIONER.

SEAL OF THE DALAI LAMA, AFFIXED BY THE GA-DEN TI-RIMPOCHE.

SEAL OF COUNCIL.

SEAL OF THE DRE-PUNG MONASTERY.

SEAL OF SERA MONASTERY.

SEAL OF GA-DEN MONASTERY.

SEAL OF NATIONAL ASSEMBLY.

In proceeding to the signature of the Convention, dated this day, the representatives of Great Britain and Tibet declare that the English text shall be binding.

F. E. YOUNGHUSBAND, Col.,  
*British Commissioner.*

TIBET FRONTIER COMMISSION.

SEAL OF BRITISH COMMISSIONER.

SEAL OF THE DALAI LAMA, AFFIXED BY THE GA-DEN TI-RIMPOCHE.

SEAL OF COUNCIL.

SEAL OF THE DRE-PUNG MONASTERY.

SEAL OF SERA MONASTERY.

SEAL OF GA-DEN MONASTERY.  
 SEAL OF NATIONAL ASSEMBLY.  
 AMPHILL,  
*Viceroy and Governor-General of India.*

This Convention was ratified by the Viceroy and Governor-General of India in Council at Simla on the eleventh day of November, A. D., one thousand nine hundred and four.

S. M. FRASER,  
*Secretary to the Government of India,  
 Foreign Department.*

Declaration signed by his Excellency the Viceroy and Governor-General of India and appended to the ratified Convention of seventh September, 1904.

His Excellency the Viceroy and Governor-General of India, having ratified the Convention which was concluded at Lhasa on seventh September, 1904, by Colonel Younghusband, C. I. E., British Commissioner for Tibet Frontier Matters, on behalf of His Britannic Majesty's Government; and by Lo-Sang Gyal-Tsen, the Ga-den Ti-Rimpoché, and the representatives of the Council, of the three monasteries Sera, Drepung, and Ga-den, and of the ecclesiastical and lay officials of the National Assembly, on behalf of the Government of Tibet, is pleased to direct as an act of grace that the sum of money which the Tibetan Government have bound themselves under the terms of Article VI of the said Convention to pay to His Majesty's Government as an indemnity for the expenses incurred by the latter in connection with the despatch of armed forces to Lhasa, be reduced from Rs. 75,00,000 to Rs. 25,00,000; and to declare that the British occupation of the Chumbi valley shall cease after due payment of three annual instalments of the said indemnity as fixed by the said Article, provided, however, that the trade marts as stipulated in Article II of the Convention shall have been effectively opened for three years as provided in Article VI of the Convention; and that, in the meantime, the Tibetans shall have faithfully complied with the terms of the said Convention in all other respects.

AMPHILL,  
*Viceroy and Governor-General of India.*

This declaration was signed by the Viceroy and Governor-General of India in Council at Simla on the eleventh day of November, A. D., one thousand nine hundred and four.

S. M. FRASER,  
*Secretary to the Government of India,  
 Foreign Department*

APPOINTMENT OF SECRETARIES OF EMBASSY AND  
LEGATION.

EXECUTIVE ORDER, NOVEMBER 10, 1905.

It is hereby ordered that vacancies in the office of Secretary of Embassy or Legation shall hereafter be filled

- (a) By transfer or promotion from some branch of the foreign service, or
- (b) By the appointment of a person who, having furnished satisfactory evidence of character, responsibility and capacity, and being thereupon selected by the President for examination, is found upon such examination to be qualified for the position.

THEODORE ROOSEVELT.

THE WHITE HOUSE,  
*November 10th, 1905.*

ORDER BY THE SECRETARY OF STATE.

In pursuance of the Executive order of November 10, 1905, the second assistant secretary of state, the solicitor for the department of state, and the chief of the diplomatic bureau, or the persons for the time being respectively discharging the duties of said officers, are hereby constituted a board, whose duty it shall be, by appropriate examination, to determine the qualifications of persons selected by the President therefor, to be appointed as secretaries of embassies or legations. Vacancies occurring in said board, or such changes in the membership thereof as experience may prove to be desirable will be dealt with by additional regulations as occasion may require.

The examination herein provided shall be held from time to time at the Department of State, in Washington, upon such notice to candidates as shall give them reasonable opportunity to attend for the purpose in question.

Such examinations shall be both oral and in writing. The subjects to which the examination shall relate are to be:

1. International law;
2. Diplomatic usage;
3. Modern languages.

Familiarity with at least one foreign language will be required. This language may be either the language spoken in the country in which the embassy or legation is located, or French.

The Examining Board is authorized to issue such notices and to make all such rules as it may deem necessary to accomplish the objects of this regulation, and immediately upon the conclusion of such examination shall make to the secretary of state a report in writing stating whether in its judgment the candidate is or is not qualified for the particular position applied for, and, if the decision is adverse to the candidate, also briefly summarizing the grounds of such decision.

ELIHU ROOT.

DEPARTMENT OF STATE,

Washington, November 10th, 1905.

LIST OF DIPLOMATIC OFFICERS OF THE UNITED STATES  
CORRECTED TO JANUARY 1, 1907.

I certify that the accompanying list of diplomatic officers of the United States is true and correct up to and including January 1, 1907.

CHARLES RAY DEAN,

*Chief, Bureau of Appointments,  
Department of State.*

January 11, 1907.

To what country accredited.	Name and rank.	Residence.	Where born.	Whence appointed.	Date of commission.	Compensation
Argentine Republic	Arthur M. Beaupré, E. E. & M. P.	Buenos Aires	Ill.	Ill.	Mar. 17, 1904	\$12,000
	Charles D. White, Sec. of Leg.	Buenos Aires	N. Y.	N. J.	Mar. 28, 1904	2,625
Austria-Hungary	Capt. Frank Parker, Mil. Att.	Buenos Aires	S. C.	Army	June 30, 1905	.....
	Charles S. Francis, Amb. E. & P.	Vienna	N. Y.	N. Y.	Mar. 22, 1906	17,500
Belgium	George B. Rives, Sec. of Emb.	Vienna	N. Y.	N. J.	Mar. 16, 1905	3,000
	Francis G. Landon, 2d Sec. of Emb.	Vienna	N. Y.	N. Y.	Mar. 17, 1905	2,000
Bolivia	Lt. John McClinton, Mil. Att.	Vienna	Wis.	Army	Oct. 4, 1905	.....
	Lt. Com. Wm. L. Howard, Nav. Att.	Berlin	Conn.	Navy	Aug. 27, 1904	.....
Brazil	Henry Lane Wilson, E. E. & M. P.	Brussels	Ind.	Wash.	Mar. 8, 1905	12,000
	Stanton Sickles,* Sec. of Leg.	Brussels	Spain	N. Y.	Oct. 17, 1903	2,625
Chile	William B. Sorsby, E. E. & M. P.	La Paz	Miss.	Miss.	July 11, 1902	7,500
	..... Sec. of Leg.	La Paz				2,000
China	Irving B. Dudley, Amb. E. & P.	Rio de Janeiro			Dec. 19, 1906	17,500
	George L. Lorillard, Sec. of Emb.	Rio de Janeiro	R. I.	R. I.	Apr. 6, 1906	3,000
Colombia	Maj. Lyman W. V. Kennon, Mil. Att.	Rio de Janeiro	R. I.	Army	May 29, 1906	.....
	John Hicks, E. E. & M. P.	Santiago	N. Y.	Wis.	July 14, 1905	10,000
Cuba	Henry L. Janes, Sec. of Leg.	Santiago	Wis.	Wis.	June 29, 1906	2,000
	William W. Rockhill, E. E. & M. P.	Peking	Pa.	D. C.	Mar. 8, 1905	12,000
Denmark	Thomas Ewing Moore, Sec. of Leg.	Peking	Ohio	D. C.	June 28, 1906	2,625
	William Phillips, 2d Sec. of Leg.	Peking		Mass.	Mar. 10, 1905	1,800
Dominican Republic	Edward T. Williams, Chinese Sec.	Peking	Ohio	Ohio	Feb. 23, 1901	3,000
	Thomas W. Haskins, Asst. Chinese Sec.	Peking	Conn.	Cal.	June 4, 1904	2,000
Ecuador	George Hamilton Butler, Stud. Int.	Peking	Me.	N. Y.	Apr. 10, 1905	1,000
	Willys R. Peck,* Stud. Int.	Peking	China	Cal.	Oct. 8, 1906	1,000
Ecuador	John I. Viney (n), Stud. Int.	Peking	England	Va.	Oct. 8, 1906	1,000
	Lt. Com. John A. Dougherty, Nav. Att.	Tokyo (Yedo)	Mo.	Navy	Nov. 3, 1906	.....
Ecuador	Capt. Henry Leonard, Mil. Att.	Peking	D. C.	Navy	Mar. 29, 1905	.....
	John Barrett, E. E. & M. P.	Bogotá	Vt.	Oreg.	June 21, 1905	10,000
Ecuador	William Heimke (n), Sec. of Leg.	Bogotá	France	N. Y.	July 18, 1906	2,000
	William L. Merry, E. E. & M. P.†	San José	N. Y.	Cal.	July 17, 1897	10,000
Ecuador	James G. Bailey, Sec. of Leg.	San José	Ky.	Ky.	June 5, 1903	2,000
	Edwin V. Morgan, E. E. & M. P.	Habana	N. Y.	N. Y.	Nov. 29, 1905	12,000
Ecuador	Charles S. Wilson, Sec. of Leg.	Habana	Me.	Me.	July 18, 1906	2,000
	Fred Morris Dearing,‡ 2d Sec. of Leg.	Habana		Mo.	July 30, 1906	1,500
Ecuador	Thomas J. O'Brien, E. E. & M. P.	Copenhagen		Mich.	Mar. 8, 1905	7,500
	Charles Richardson, Sec. of Leg.	Copenhagen	Mass.	Mass.	Apr. 9, 1906	2,000
Ecuador	Thomas C. Dawson, Minister Resident & C. G.	Santo Domingo	Wis.	Iowa	Apr. 29, 1904	5,000
	..... Sec. of Leg.	Santo Domingo				2,000
Ecuador	Capt. Charles Young, Mil. Att.	Port au Prince	Ky.	Army	Apr. 18, 1904	.....
	Joseph W. J. Lee, E. E. & M. P.	Quito	Md.	Md.	Sept. 18, 1905	7,500

\*Born of American parents residing abroad.

†Accredited also to Nicaragua and Salvador.

‡Appointed after examination under Executive order of November 10, 1905.

DIPLOMATIC SERVICE—CONTINUED.

To what country accredited.	Name and rank.	Residence.	Where born.	Whence appointed.	Date of commission.	Compensation.
France . . .	Henry White, Amb. E. & P. . . . .	Paris . . . . .	La . . . . .	La . . . . .	Dec. 19, 1906	\$17,500
	Henry Vignaud, Sec. of Emb. . . . .	Paris . . . . .	La . . . . .	La . . . . .	Apr. 11, 1885	3,000
	Arthur Baily-Blanchard, 2d Sec. of Emb. . . . .	Paris . . . . .	La . . . . .	La . . . . .	June 17, 1901	2,000
	William Blumenthal, 3d Sec. of Emb. . . . .	Paris . . . . .	N. Y . . . . .	N. Y . . . . .	Mar. 10, 1905	1,200
	Capt. John C. Fremont, Nav. Att. . . . .	Paris . . . . .	Cal . . . . .	Navy . . . . .	Aug. 6, 1906	.....
	Capt. Wm. S. Guignard, Mil. Att. . . . .	Paris . . . . .	S. C . . . . .	Army . . . . .	Apr. 14, 1905	.....
German Empire . . .	Charlemagne Tower, Amb. E. & P. . . . .	Berlin . . . . .	Pa . . . . .	Pa . . . . .	Sept. 26, 1902	17,500
	Spencer F. Eddy, Sec. of Emb. . . . .	Berlin . . . . .	Ill . . . . .	Ill . . . . .	Oct. 1, 1906	3,000
	John W. Garrett, 2d Sec. of Emb. . . . .	Berlin . . . . .	Md . . . . .	Md . . . . .	Mar. 25, 1905	2,000
	Nelson O'Shaughnessy, 3d Sec. of Emb. . . . .	Berlin . . . . .	N. Y . . . . .	N. Y . . . . .	Mar. 17, 1905	1,200
	Capt. Wm. S. Biddle, jr., Mil. Att. . . . .	Berlin . . . . .	Mich . . . . .	Army . . . . .	Aug. 4, 1902	.....
Great Britain . . .	Lt. Com. Wm. L. Howard, Nav. Att. . . . .	Berlin . . . . .	Conn . . . . .	Navy . . . . .	Aug. 27, 1904	.....
	Whitelaw Reid, Amb. E. & P. . . . .	London . . . . .	Ohio . . . . .	N. Y . . . . .	Mar. 8, 1905	17,500
	John R. Carter, Sec. of Emb. . . . .	London . . . . .	Md . . . . .	Md . . . . .	Mar. 10, 1905	3,000
	Craig W. Wadsworth, 2d Sec. of Emb. . . . .	London . . . . .	Pa . . . . .	N. Y . . . . .	Mar. 10, 1905	2,000
	U. Grant Smith, 3d Sec. of Emb. . . . .	London . . . . .	Pa . . . . .	Pa . . . . .	Feb. 8, 1906	1,200
	Lt. Com. John H. Gibbons, Nav. Att. . . . .	London . . . . .	Mich . . . . .	Navy . . . . .	Dec. 13, 1905	.....
	Maj. John H. Beaumont, Mil. Att. . . . .	London . . . . .	Ohio . . . . .	Army . . . . .	Aug. 29, 1903	.....
Greece . . .	John B. Jackson, E. E. & M. P.* . . . . .	Athens . . . . .	N. J . . . . .	N. J . . . . .	Mar. 8, 1905	7,500
	Sec. of Leg. . . . .	Athens . . . . .	.....	.....	.....	2,000
Guatemala . . .	E. E. & M. P.† . . . . .	Guatemala . . . . .	.....	.....	.....	10,000
	Philip M. Brown, Sec. of Leg. . . . .	Guatemala . . . . .	Me . . . . .	Mass . . . . .	June 5, 1903	2,000
Haiti . . .	Henry W. Furniss, E. E. & M. P. . . . .	Port au Prince . . . . .	N. Y . . . . .	Ind . . . . .	Nov. 23, 1905	7,500
	Capt. Charles Young, Mil. Att. . . . .	Port au Prince . . . . .	Ky . . . . .	Army . . . . .	Apr. 18, 1904	.....
Honduras . . .	E. E. & M. P.‡ . . . . .	Guatemala . . . . .	.....	.....	.....	10,000
	Philip M. Brown, Sec. of Leg. . . . .	Guatemala . . . . .	Me . . . . .	Mass . . . . .	June 5, 1903	2,000
Italy . . .	Lloyd C. Griscom, Amb. E. & P. . . . .	Rome . . . . .	.....	.....	Dec. 10, 1906	17,500
	R. S. Reynolds Hitt, § Sec. of Emb. . . . .	Rome . . . . .	France . . . . .	Ill . . . . .	Mar. 25, 1905	3,000
	Leonard M. Thomas, 2d Sec. of Emb. . . . .	Rome . . . . .	Pa . . . . .	Pa . . . . .	Dec. 10, 1902	2,000
	Maj. Frank A. Edwards, Mil. Att. . . . .	Rome . . . . .	Pa . . . . .	Army . . . . .	Sept. 29, 1903	.....
	Lt. Com. Wm. L. Howard, Nav. Att. . . . .	Berlin . . . . .	Conn . . . . .	Navy . . . . .	Aug. 27, 1904	.....
Japan . . .	Luke E. Wright, Amb. E. & P. . . . .	Tokyo (Yedo) . . . . .	Tenn . . . . .	Tenn . . . . .	Jan. 25, 1906	17,500
	H. Percival Dodge, Sec. of Emb. . . . .	Tokyo (Yedo) . . . . .	Mass . . . . .	Mass . . . . .	Aug. 8, 1906	3,000
	George P. Wheeler,    2d Sec. of Emb. . . . .	Tokyo (Yedo) . . . . .	.....	Wash . . . . .	July 21, 1906	2,000
	Ransford Stevens Miller, jr., Japanese Sec. and Int. . . . .	Tokyo (Yedo) . . . . .	N. Y . . . . .	N. Y . . . . .	July 24, 1906	3,000
	Charles L. Chandler, Stud. Int. . . . .	Tokyo (Yedo) . . . . .	Mass . . . . .	Mass . . . . .	Oet. 8, 1906	1,000
	Adolph A. Williamson, Stud. Int. . . . .	Tokyo (Yedo) . . . . .	D. C . . . . .	D. C . . . . .	Oet. 8, 1906	1,000
	John K. Caldwell, Stud. Int. . . . .	Tokyo (Yedo) . . . . .	Ohio . . . . .	Ky . . . . .	Oet. 8, 1906	1,000
	Lt. Com. John A. Dougherty, Nav. Att. . . . .	Tokyo (Yedo) . . . . .	Mo . . . . .	Navy . . . . .	Nov. 3, 1906	.....
Liberia . . .	Ernest Lyon (n), Minister Resident & C. G. . . . .	Monrovia . . . . .	Hond . . . . .	Md . . . . .	Mar. 16, 1903	5,000
Luxemburg . . .	George W. Ellis, Sec. of Leg. . . . .	Monrovia . . . . .	Mo . . . . .	Kans . . . . .	Dec. 10, 1902	2,000
	David J. Hill, E. E. & M. P.¶ . . . . .	The Hague . . . . .	N. J . . . . .	N. Y . . . . .	Mar. 15, 1905	12,000
	Roger S. G. Boutell, Sec. of Leg. . . . .	The Hague . . . . .	Ill . . . . .	Ill . . . . .	Dec. 11, 1905	2,625
Mexico . . .	David E. Thompson, Amb. E. & P. . . . .	Mexico . . . . .	Mich . . . . .	Nebr . . . . .	Jan. 24, 1906	17,500
	Fenton R. McCreery, Sec. of Emb. . . . .	Mexico . . . . .	Mich . . . . .	Mich . . . . .	Apr. 8, 1897	3,000
	Paxton Hibben, 2d Sec. of Emb. . . . .	Mexico . . . . .	Ind . . . . .	Ind . . . . .	July 18, 1906	2,000
	Joseph C. Grew, 3d Sec. of Emb. . . . .	Mexico . . . . .	Mass . . . . .	N. H . . . . .	Mar. 1, 1906	1,200
	Maj. Alexis R. Paxton, Mil. Att. . . . .	Mexico . . . . .	Pa . . . . .	Army . . . . .	Sept. 29, 1905	.....
Montenegro . . .	John B. Jackson, E. E. & M. P.** . . . . .	Athens . . . . .	N. J . . . . .	N. J . . . . .	Mar. 8, 1905	7,500
	Sec. of Leg. . . . .	Athens . . . . .	.....	.....	.....	2,000

\* Accredited also to Montenegro; also diplomatic agent in Bulgaria.

† Accredited also to Honduras.

‡ Accredited also to Guatemala.

§ Born of American parents residing abroad.

|| Appointed after examination under Executive order of November 10, 1905.

¶ Accredited also to the Netherlands.

\*\* Accredited also to Greece, also Diplomatic Agent in Bulgaria.

## DIPLOMATIC SERVICE—CONTINUED.

To what country accredited.	Name and rank.	Residence.	Where born.	Whence appointed.	Date of commission.	Compensation.
Morocco . . .	Samuel R. Gummeré, E. E. & M. P.	Tangier . . .	N. J. . .	N. J. . .	Mar. 8, 1905	\$7,500
	Hoffman Philip, Sec. of Leg. . . .	Tangier . . .	D. C. . .	N. Y. . .	Jan. 11, 1906	2,000
Netherlands . . .	David J. Hill, E. E. & M. P.* . . .	The Hague . . .	N. J. . .	N. Y. . .	Mar. 15, 1905	12,000
	Roger S. G. Boutell, Sec. of Leg. . . .	The Hague . . .	III. . .	III. . .	Dec. 11, 1905	2,625
Nicaragua . . .	William L. Merry, E. E. & M. P.† . . .	San José . . .	N. Y. . .	Cal. . .	July 17, 1897	10,000
	James G. Bailey, Sec. of Leg. . . .	San José . . .	Ky. . .	Ky. . .	June 5, 1903	2,000
Norway . . .	Herbert H. D. Peirce, E. E. & M. P.	Christiania . . .	Mass. . .	Mass. . .	June 22, 1906	7,500
	M. Marshall Langhorne,‡ Sec. of Leg. . . .	Christiania . . .	Va. . .	Va. . .	July 5, 1906	2,000
Panama . . .	Herbert G. Squiers,§ E. E. & M. P. . . .	Panama . . .	Canada . . .	N. Y. . .	Oct. 20, 1906	10,000
	William F. Sands, Sec. of Leg. . . .	Panama . . .	D. C. . .	D. C. . .	Apr. 1, 1905	2,000
Paraguay . . .	Edward C. O'Brien, E. E. & M. P.   . . .	Montevideo . . .	. . . .	N. Y. . .	Mar. 8, 1905	7,500
Persia . . .	Richmond Pearson, E. E. & M. P. . . .	Teheran . . .	N. C. . .	N. C. . .	Dec. 17, 1902	7,500
Peru . . .	John Tyler, Int. . . .	Teheran . . .	England . . .	Persia . . .	. . . .	1,000
Portugal . . .	Leslie Combs, E. E. & M. P. . . .	Lima . . .	. . . .	. . . .	Dec. 19, 1906	10,000
	Richard R. Neill, Sec. of Leg. . . .	Lima . . .	Pa. . .	Pa. . .	July 5, 1884	2,000
Roumania . . .	Charles Page Bryan, E. E. & M. P. . . .	Lisbon . . .	III. . .	III. . .	Jan. 7, 1903	7,500
	Henry P. Fletcher, Sec. of Leg. . . .	Lisbon . . .	Pa. . .	Pa. . .	Mar. 10, 1905	2,000
Russia . . .	E. E. & M. P.¶ . . .	Bucharest . . .	. . . .	. . . .	. . . .	7,500
	Montgomery Schuyler, jr., Sec. of Leg. & C. G. . . .	Bucharest . . .	Conn. . .	N. Y. . .	June 28, 1906	2,000
Salvador . . .	John W. Riddle, Amb. E. & P. . . .	St. Petersburg . . .	. . . .	. . . .	Dec. 19, 1906	17,500
	Sec. of Emb. . . .	St. Petersburg . . .	. . . .	. . . .	. . . .	3,000
	Robert Woods Bliss, 2d Sec. of Emb. . . .	St. Petersburg . . .	Mo. . .	N. Y. . .	Oct. 1, 1904	2,000
	Basil Miles,‡ 3d Sec. of Emb. . . .	St. Petersburg . . .	. . . .	Pa. . .	Aug. 24, 1906	1,200
	Capt. John C. Fremont, Nav. Att. . . .	Paris . . .	Cal. . .	Navy . .	Aug. 6, 1906	. . . .
	Maj. William W. Gibson, Mil. Att. . . .	St. Petersburg . . .	Conn. . .	Army. .	Sept. 7, 1905	. . . .
	William L. Merry, E. E. & M. P.** . . .	San José . . .	N. Y. . .	Cal. . .	July 17, 1897	10,000
	James G. Bailey, Sec. of Leg. . . .	San José . . .	Ky. . .	Ky. . .	June 5, 1903	2,000
Servia . . .	E. E. & M. P.†† . . .	Bucharest . . .	. . . .	. . . .	. . . .	7,500
	Montgomery Schuyler, jr., Sec. of Leg. & C. G. . . .	Bucharest . . .	Conn. . .	N. Y. . .	June 28, 1906	2,000
Siam . . .	Hamilton King (n), E. E. & M. P. . . .	Bangkok . . .	Canada . . .	Mich. . .	Apr. 27, 1903	7,500
	Irwin B. Laughlin, Sec. of Leg. & C. G. . . .	Bangkok . . .	. . . .	Pa. . .	June 28, 1906	2,000
	Leng Hui, Int. . . .	Bangkok . . .	Siam . . .	Siam . .	Aug. 27, 1901	500
Spain . . .	William M. Collier, E. E. & M. P. . . .	Madrid . . .	N. Y. . .	N. Y. . .	Mar. 8, 1905	12,000
	Robert M. Winthrop, Sec. of Leg. . . .	Madrid . . .	Mass. . .	Mass. . .	Oct. 17, 1903	2,000
Sweden . . .	Charles H. Graves, E. E. & M. P. . . .	Stockholm . . .	. . . .	Minn. . .	Mar. 8, 1905	7,500
	Norman Hutchinson, Sec. of Leg. . . .	Stockholm . . .	Cal. . .	Cal. . .	June 28, 1906	2,000
	Maj. William W. Gibson, Mil. Att. . . .	St. Petersburg . . .	Conn. . .	Army. .	Dec. 5, 1905	. . . .
Switzerland . . .	Brutus J. Clay, E. E. & M. P. . . .	Berne . . .	. . . .	Ky. . .	Mar. 8, 1905	7,500
	Paul Grand d'Hauteville, Sec. of Leg. . . .	Berne . . .	R. I. . .	R. I. . .	Dec. 11, 1905	2,000
Turkey . . .	John G. A. Leishman, Amb. E. & P. . . .	Constantinople . . .	Pa. . .	Pa. . .	June 18, 1906	17,500
	Peter Augustus Jay, Sec. of Emb. . . .	Constantinople . . .	R. I. . .	R. I. . .	June 28, 1906	2,625
	Lewis Einstein, 2d Sec. of Emb. . . .	Constantinople . . .	N. Y. . .	N. Y. . .	June 28, 1906	1,800
	A. A. Gargiulo, Int. . . .	Constantinople . . .	Turkey . .	Turkey . .	July 1, 1873	3,000
Bulgaria . . .	John B. Jackson,‡ Dip. Agrt. . . .	Athens . . .	N. J. . .	N. J. . .	Mar. 8, 1905	7,500
	Sec. of Agency . . . .	Athens . . .	. . . .	. . . .	. . . .	2,000
Egypt . . .	Lewis M. Iddings, Agrt. & C. G. . . .	Cairo . . .	Ohio . . .	N. Y. . .	Mar. 23, 1905	6,500
Uruguay . . .	Edward C. O'Brien, E. E. & M. P. §§ . . .	Montevideo . . .	. . . .	N. Y. . .	Mar. 8, 1905	7,500
Venezuela . . .	William W. Russell, E. E. & M. P. . . .	Caracas . . .	D. C. . .	D. C. . .	June 21, 1905	10,000
	Jacob Sleeper, Sec. of Leg. . . .	Caracas . . .	Mass. . .	Mass. . .	June 28, 1906	2,000

\* Accredited also to Luxemburg.

† Accredited also to Costa Rica and Salvador.

‡ Appointed after examination under Executive order of November 10, 1905.

§ Born of American parents residing abroad.

|| Accredited also to Uruguay.

¶ Accredited also to Servia.

\*\* Accredited also to Costa Rica and Nicaragua.

†† Accredited also to Roumania.

‡‡ Also Envoy Extraordinary and Minister Plenipotentiary to Greece and Montenegro.

§§ Accredited also to Paraguay.